

JOURNAL
OF THE
SENATE OF VIRGINIA

2020 SPECIAL SESSION I

Tuesday, August 18, 2020 through Wednesday, December 16, 2020

INDEX

APPENDIX

Held at the Science Museum of Virginia in the City of Richmond

Compiled in the office of

Susan Clarke Schaar, Clerk of the Senate

Pursuant to Article IV, Section 10, of the Constitution of Virginia

Tara H. Perkinson
Chief Deputy Clerk

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Journal Clerk

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Journal Assistant

COMMONWEALTH OF VIRGINIA
RICHMOND
2020

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**JOURNAL
OF
THE
SENATE**

2020 SPECIAL SESSION I

TUESDAY, AUGUST 18, 2020

The Senate met at 1:00 p.m. at the Science Museum of Virginia in Richmond, Virginia, and was called to order by Lieutenant Governor Justin E. Fairfax.

Nathan A. Hatfield, Assistant Clerk–LINCS, Senate Clerk’s Office, offered the following prayer:

O God, whose presence makes every space sacred, bless us in our work today.

I praise You, for Your wisdom surpasses our wisest decision, and Your grace silently inhabits the routine and mundane moments of our day.

Make us mindful of Your design for our life and work even as we focus on the list of tasks before us.

Make our effort and sacrifice at work today an offering worthy in Your sight.

In Him give us courage and strength. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Susan Clarke Schaar, Clerk of the Senate.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel.

A quorum was present.

After the roll call, Senator Lucas notified the Clerk of her presence.

COMMUNICATION

The following communication was received and read:

COMMONWEALTH OF VIRGINIA

Executive Department

Proclamation

In accordance with the provisions of Article IV, Section 6, and Article V, Section 5, of the Constitution of Virginia and the powers thereby vested in the Governor to call a Special Session of the General Assembly;

I, Ralph S. Northam, Governor of Virginia, do hereby summon the members of the Senate and the House of Delegates, constituting the General Assembly of Virginia, to meet in Special Session commencing the eighteenth day of August, two thousand twenty, for the purpose of adopting a budget based on the revised revenue forecast and consideration of legislation related to the emergency of COVID-19 and criminal and social justice reforms.

Given under my hand as Governor of Virginia, and under the Lesser Seal of the Commonwealth, at Richmond, this seventeenth day of July, two thousand and twenty, and in the two hundred and forty-fifth year of the Commonwealth.

/s/ Ralph S. Northam
Governor of Virginia

[SEAL]

By the Governor of Virginia

/s/ Kelly Thomasson
Secretary of the Commonwealth

RULES OF THE SENATE

The President announced that the Senate was operating under the Rules of the Senate as adopted at the 2020 Session, which state, “The Rules of the Senate shall be adopted at the commencement of the first regular session of the General Assembly after the election of the Senate, and shall be in force for the succeeding four years unless amended or suspended as provided by these Rules.”

INTRODUCTION OF LEGISLATION

The following were prefiled on the date indicated, ordered to be printed, and referred pursuant to § 30-19.3 of the Code of Virginia:

S.B. 5001. A BILL to amend and reenact § 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; limitation on duration of executive orders.
(Prefiled July 17, 2020)
Patron--Newman
Referred to Committee on General Laws and Technology

- S.B. 5002.** A BILL to amend the Code of Virginia by adding a section numbered 19.2-80.3, relating to law-enforcement officers; prohibition on the use of neck restraints.
(Prefiled July 19, 2020)
Patron--Norment
Referred to Committee on the Judiciary
- S.B. 5003.** A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 62, consisting of sections numbered 30-391 through 30-397, relating to Commission on Civil Rights and Policing established; report.
(Prefiled July 21, 2020)
Patron--Stuart
Referred to Committee on Rules
- S.B. 5004.** A BILL to amend and reenact §§ 22.1-253.13:2 and 22.1-274 of the Code of Virginia, relating to school personnel; school nurses.
(Prefiled July 21, 2020)
Patron--Kiggans
Referred to Committee on Education and Health
- S.B. 5005.** A BILL to amend and reenact § 9.1-102 of the Code of Virginia, relating to the Department of Criminal Justice Services; certified criminal justice training academies.
(Prefiled July 22, 2020)
Patron--Norment
Referred to Committee on the Judiciary
- S.B. 5006.** A BILL to amend and reenact §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4 of the Code of Virginia, relating to expungement of police and court records; pardons.
(Prefiled July 29, 2020)
Patron--Norment
Referred to Committee on the Judiciary
- S.B. 5007.** A BILL to amend and reenact §§ 19.2-257, 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, 19.2-295.3, and 30-19.1:4 of the Code of Virginia, relating to criminal cases; sentencing reform.
(Prefiled July 31, 2020)
Patron--Morrissey
Referred to Committee on the Judiciary
- S.B. 5008.** A BILL to amend and reenact § 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; limitation on duration of executive orders.
(Prefiled July 31, 2020)
Patron--Suetterlein
Referred to Committee on General Laws and Technology
- S.B. 5009.** A BILL to amend and reenact § 19.2-392.2 of the Code of Virginia, relating to expungement of certain alcohol-related offenses.
(Prefiled August 3, 2020)
Patron--Peake
Referred to Committee on the Judiciary

- S.B. 5010.** A BILL to amend and reenact § 18.2-57 of the Code of Virginia, relating to assault and battery; penalty.
(Prefiled August 3, 2020)
Patron--Norment
Referred to Committee on the Judiciary
- S.B. 5011.** A BILL to amend and reenact §§ 16.1-69.48:1, 17.1-275.7, 22.1-289.031, as it shall become effective, 46.2-325, 46.2-602, 46.2-602.1, 46.2-602.3, 46.2-602.4, 46.2-694.1, as it is currently effective and as it may become effective, 46.2-730, 46.2-730.1, 46.2-1000, 46.2-1005.1, 46.2-1025, 46.2-1043, 46.2-1048, 46.2-1053, 46.2-1065, 46.2-1072.1, 46.2-1092, 46.2-1150, 46.2-1176, 46.2-1190.2, 46.2-1213, 46.2-1531, 46.2-1539, 46.2-1539.1, 46.2-1600, as it shall become effective, 46.2-1605, 46.2-2099.50, and 63.2-1716 of the Code of Virginia; to amend the Code of Virginia by adding sections numbered 46.2-1001.2, 46.2-1005.2, 46.2-1060.1, and 46.2-2000.4; and to repeal Article 21 (§§ 46.2-1157 through 46.2-1175.1) of Chapter 10 of Title 46.2 and § 46.2-1540 of the Code of Virginia, relating to motor vehicle safety inspection program.
(Prefiled August 3, 2020)
Patron--Suetterlein
Referred to Committee on Transportation
- S.B. 5012.** A BILL to amend and reenact § 2.2-3703 of the Code of Virginia, relating to the Virginia Freedom of Information Act; Virginia Parole Board member votes.
(Prefiled August 3, 2020)
Patron--Suetterlein
Referred to Committee on General Laws and Technology
- S.B. 5013.** A BILL to amend and reenact § 18.2-250.1 of the Code of Virginia, relating to possession of marijuana; prepay penalty.
(Prefiled August 5, 2020)
Patron--Stuart
Referred to Committee on the Judiciary
- S.B. 5014.** A BILL to amend and reenact §§ 9.1-102 and 9.1-188 of the Code of Virginia, relating to minimum training standards for law-enforcement officers; crisis intervention team training.
(Prefiled August 7, 2020)
Patron--Edwards
Referred to Committee on the Judiciary
- S.B. 5015.** A BILL to amend and reenact Chapter 1289 of the 2020 Acts of Assembly, which appropriated funds for the 2020-22 Biennium and provided a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2021, and the thirtieth day of June, 2022.
(Prefiled August 18, 2020)
Patron--Howell
Referred to Committee on Finance and Appropriations
- S.B. 5016.** A BILL to amend and reenact § 53.1-165.1 of the Code of Virginia, relating to the application of parole statutes for juveniles and persons committed upon felony offenses committed on or after January 1, 1995.
(Prefiled August 7, 2020)
Patron--Edwards
Referred to Committee on Rehabilitation and Social Services

- S.B. 5017.** A BILL to amend and reenact § 53.1-1 of the Code of Virginia, relating to local correctional facility; definition.
(Prefiled August 9, 2020)
Patrons--Boysko, Favola and Hashmi
Referred to Committee on Rehabilitation and Social Services
- S.B. 5018.** A BILL to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to conditional release of geriatric, terminally ill, or permanently physically disabled prisoners.
(Prefiled August 9, 2020)
Patron--Bell
Referred to Committee on Rehabilitation and Social Services
- S.B. 5019.** A BILL to amend and reenact § 18.2-57 of the Code of Virginia, relating to assault and battery; penalty.
(Prefiled August 10, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5020.** A BILL to amend the Code of Virginia by adding in Chapter 8 of Title 22.1 an article numbered 7, consisting of sections numbered 22.1-124.1 through 22.1-124.6, relating to public education; voucher program; emergency.
EMERGENCY
(Prefiled August 12, 2020)
Patron--Chase
Referred to Committee on Education and Health
- S.B. 5021.** A BILL to amend and reenact § 22.1-212.1 of the Code of Virginia, relating to public schools; mandatory virtual learning; provision of required technology and Internet service; emergency.
EMERGENCY
(Prefiled August 12, 2020)
Patron--Chase
Referred to Committee on Education and Health
- S.B. 5022.** A BILL to amend and reenact § 65.2-402.1 of the Code of Virginia, relating to workers' compensation; presumption as to death or disability from COVID-19.
(Prefiled August 12, 2020)
Patron--Kiggans
Referred to Committee on Commerce and Labor
- S.B. 5023.** A BILL to amend and reenact §§ 8.01-225.01, 8.01-225.02, and 44-146.16 of the Code of Virginia, relating to disasters; health care providers; immunity.
(Prefiled August 13, 2020)
Patron--Norment
Referred to Committee on the Judiciary
- S.B. 5024.** A BILL to amend and reenact § 2.2-520 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-511.1, relating to law-enforcement misconduct.
(Prefiled August 13, 2020)
Patron--Lucas
Referred to Committee on the Judiciary

S.B. 5025. A BILL to amend and reenact §§ 32.1-13, 32.1-20, and 35.1-10 of the Code of Virginia, relating to Board and Commissioner of Health; emergency orders and regulations; duration.

(Prefiled August 13, 2020)

Patron--Newman

Referred to Committee on Education and Health

S.B. 5026. A BILL to amend and reenact §§ 32.1-23 and 32.1-41 of the Code of Virginia, relating to nursing homes; publication of information about certain communicable diseases.

(Prefiled August 13, 2020)

Patron--Newman

Referred to Committee on Education and Health

S.B. 5027. A BILL to amend and reenact § 40.1-57.2, as it shall become effective, of the Code of Virginia, relating to collective bargaining; law-enforcement; prohibition.

(Prefiled August 13, 2020)

Patron--Newman

Referred to Committee on Commerce and Labor

S.B. 5028. A BILL to amend and reenact §§ 32.1-13 and 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; State Board of Health; emergency orders and regulations; authority over public and private elementary and secondary schools.

(Prefiled August 13, 2020)

Patron--Newman

Referred to Committee on Education and Health

S.B. 5029. A BILL to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-1013, 46.2-1049, 46.2-1052, 46.2-1053, and 46.2-1054 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic infractions.

(Prefiled August 13, 2020)

Patrons--Lucas, Boysko, Deeds, Hashmi, Locke and McPike; Delegate: Simonds

Referred to Committee on Transportation

S.B. 5030. A BILL to amend and reenact §§ 9.1-102, 9.1-108, 9.1-112, 9.1-168, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding sections numbered 9.1-112.1 and 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3 through 19.2-83.7, relating to policing reform.

(Prefiled August 13, 2020)

Patron--Locke

Referred to Committee on the Judiciary

S.B. 5031. A BILL to amend and reenact § 2.2-3300 of the Code of Virginia, relating to legal holidays; Juneteenth.

(Prefiled August 13, 2020)

Patron--Locke

Referred to Committee on General Laws and Technology

- S.B. 5032.** A BILL to amend and reenact § 18.2-57, relating to assault and battery; penalty.
(Prefiled August 13, 2020)
Patron--Surovell
Referred to Committee on the Judiciary
- S.B. 5033.** A BILL to amend and reenact § 19.2-265.3 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-298.02, relating to court authority in criminal cases; prosecutorial discretion to dispose of a criminal case.
(Prefiled August 13, 2020)
Patron--Surovell
Referred to Committee on the Judiciary
- S.B. 5034.** A BILL to amend and reenact §§ 53.1-40.01 and 53.1-202.3 of the Code of Virginia, relating to release of prisoners.
(Prefiled August 14, 2020)
Patrons--Boysko, Deeds and Hashmi
Referred to Committee on Rehabilitation and Social Services
- S.B. 5035.** A BILL to amend and reenact §§ 2.2-3002, 9.1-300, 15.2-1507, 30-34.2:1, 40.1-51.4:4, and 44-123.3 of the Code of Virginia; to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601; and to repeal Chapter 5 (§§ 9.1-500 through 9.1-507) of Title 9.1 and § 15.2-723 of the Code of Virginia, relating to law-enforcement civilian review boards.
(Prefiled August 14, 2020)
Patron--Hashmi
Referred to Committee on the Judiciary
- S.B. 5036.** A BILL to amend and reenact §§ 4.1-206 and 4.1-206.3 of the Code of Virginia, relating to alcoholic beverage control; local special events license; limitations on events during public health emergency.
(Prefiled August 14, 2020)
Patron--McPike
Referred to Committee on Rehabilitation and Social Services
- S.B. 5037.** A BILL to amend and reenact § 9.1-112 of the Code of Virginia, relating to Criminal Justices Services Board; Committee on Training.
(Prefiled August 14, 2020)
Patron--Favola
Referred to Committee on the Judiciary
- S.B. 5038.** A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 9.1-187.1, 9.1-188.1, and 9.1-189.1, relating to mobile crisis co-response team programs.
(Prefiled August 14, 2020)
Patron--McPike
Referred to Committee on the Judiciary
- S.B. 5039.** A BILL to amend and reenact §§ 2.2-4343 and 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of Governor; purchase of personal protective equipment during a disaster caused by a communicable disease of public health threat.
(Prefiled August 14, 2020)
Patron--Marsden
Referred to Committee on General Laws and Technology

- S.B. 5040.** A BILL to amend and reenact § 2.2-511 of the Code of Virginia, relating to Attorney General; criminal cases involving certain felonies committed by law-enforcement officers.
(Prefiled August 14, 2020)
Patron--Ebbin
Referred to Committee on General Laws and Technology
- S.B. 5041.** A BILL to amend and reenact the second enactment of Chapter 390 and the second enactment of Chapter 1130 of the Acts of Assembly of 2020, relating to concealed handgun permits; demonstration of competence; effective date.
EMERGENCY
(Prefiled August 14, 2020)
Patron--Stuart
Referred to Committee on the Judiciary
- S.B. 5042.** A BILL to amend and reenact §§ 32.1-127 and 32.1-162.5 of the Code of Virginia, relating to State Board of Health; public health emergency; patient visitation; notice to family; emergency.
EMERGENCY
(Prefiled August 15, 2020)
Patron--Kiggans
Referred to Committee on Education and Health
- S.B. 5043.** A BILL to amend and reenact §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4 of the Code of Virginia, relating to expungement of police and court records.
(Prefiled August 15, 2020)
Patrons--Deeds, Boysko, Favola, Hashmi, Lucas, McPike and Morrissey
Referred to Committee on the Judiciary
- S.B. 5044.** A BILL to amend and reenact § 15.2-2209.1 of the Code of Virginia and the third enactment of Chapter 193 of the Acts of Assembly of 2009, as amended by Chapter 508 of the Acts of Assembly of 2012, Chapter 509 of the Acts of Assembly of 2013, and Chapter 660 of the Acts of Assembly of 2017, relating to extension of certain local approvals.
(Prefiled August 15, 2020)
Patron--Deeds
Referred to Committee on Local Government
- S.B. 5045.** A BILL to amend and reenact § 30-19.1:4 of the Code of Virginia, relating to criminal cases; fiscal impact statements.
(Prefiled August 16, 2020)
Patron--Surovell
Referred to Committee on Rules
- S.B. 5046.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-12.2, relating to limitation on mandatory minimum punishment.
(Prefiled August 16, 2020)
Patrons--Edwards, Boysko, Deeds, Hashmi, Lucas and Morrissey
Referred to Committee on the Judiciary
- S.B. 5047.** A BILL to amend and reenact § 30-194 of the Code of Virginia, relating to the Capitol Square Preservation Council; powers and duties; review and approval of plans for changes to artifacts contained within the Capitol Building.
(Prefiled August 17, 2020)
Patron--Norment
Referred to Committee on Rules

- S.B. 5048.** A BILL to prohibit the Governor from extending or issuing any new executive orders declaring a state of emergency related to the COVID-19 pandemic.
(Prefiled August 17, 2020)
Patron--Peake
Referred to Committee on General Laws and Technology
- S.B. 5049.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-51.8, relating to law-enforcement officers; prohibition on the use of neck restraints.
(Prefiled August 17, 2020)
Patron--Morrissey
Referred to Committee on the Judiciary
- S.B. 5050.** A BILL to amend and reenact §§ 53.1-136, 53.1-155, and 53.1-160 of the Code of Virginia and to repeal § 53.1-154.1 of the Code of Virginia, relating to parole; notice and certification; monthly reports; discretionary early consideration.
(Prefiled August 17, 2020)
Patron--Obenshain
Referred to Committee on Rehabilitation and Social Services
- S.B. 5051.** A BILL to temporarily prohibit termination of rental agreements and issuance of orders of possession and writs of eviction under certain circumstances.
(Prefiled August 17, 2020)
Patron--Hashmi
Referred to Committee on General Laws and Technology
- S.B. 5052.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 9.1 a section numbered 9.1-116.7, relating to law-enforcement agencies; body-worn camera systems.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5053.** A BILL to amend and reenact § 18.2-423 of the Code of Virginia, relating to burning cross on property of another or public place with intent to intimidate; penalty.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5054.** A BILL to amend and reenact § 18.2-423.2 of the Code of Virginia, relating to displaying noose on property of another or a highway or other public place with intent to intimidate; penalty.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5055.** A BILL to amend and reenact § 18.2-423.1 of the Code of Virginia, relating to placing swastika on certain property with intent to intimidate; penalty.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary

- S.B. 5056.** A BILL to amend and reenact § 18.2-405 of the Code of Virginia, relating to riots; acts of violence; penalty.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5057.** A BILL to amend and reenact § 18.2-406 of the Code of Virginia, relating to unlawful assembly; acts of violence; penalty.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5058.** A BILL to amend and reenact § 18.2-407 of the Code of Virginia, relating to remaining at place of riot or unlawful assembly after warning to disperse; penalty.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5059.** A BILL to amend and reenact § 18.2-414 of the Code of Virginia, relating to injury to property or persons by persons unlawfully or riotously assembled; penalty.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5060.** A BILL to amend and reenact § 18.2-414.1 of the Code of Virginia, relating to obstructing emergency services personnel in performance of mission; penalty.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5061.** A BILL to amend and reenact § 18.2-416 of the Code of Virginia, relating to abusive language to another; penalty.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5062.** A BILL to amend and reenact § 18.2-419 of the Code of Virginia, relating to picketing or disrupting tranquility of home; penalty.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5063.** A BILL to amend and reenact § 15.2-1707 of the Code of Virginia, relating to decertification of law-enforcement officers; acts that compromise integrity or credibility.
(Prefiled August 17, 2020)
Patron--Reeves
Referred to Committee on the Judiciary
- S.B. 5064.** A BILL to require employers to report outbreaks of COVID-19.
(Prefiled August 17, 2020)
Patron--Lewis
Referred to Committee on Education and Health

- S.B. 5065.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-42.6, relating to civil action for deprivation of rights by a law-enforcement officer.
(Prefiled August 17, 2020)
Patron--Morrissey
Referred to Committee on the Judiciary
- S.B. 5066.** A BILL to amend and reenact § 65.2-402.1 of the Code of Virginia, relating to workers' compensation; presumption as to death or disability from COVID-19.
(Prefiled August 17, 2020)
Patron--Saslaw
Referred to Committee on Commerce and Labor
- S.B. 5067.** A BILL to provide immunity from civil claims related to the transmission of or exposure to the COVID-19 virus; emergency.
EMERGENCY
(Prefiled August 17, 2020)
Patron--Saslaw
Referred to Committee on the Judiciary
- S.B. 5068.** A BILL to permit school boards to waive mandatory student safety drills and student health screenings; emergency.
EMERGENCY
(Prefiled August 17, 2020)
Patron--Peake
Referred to Committee on Education and Health
- S.B. 5069.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-97.1, relating to public schools; declared state of emergency; average daily membership.
(Prefiled August 17, 2020)
Patron--Ruff
Referred to Committee on Education and Health
- S.B. 5070.** A BILL to amend and reenact § 54.1-2957 of the Code of Virginia, relating to nurse practitioners; practice without a practice agreement.
(Prefiled August 17, 2020)
Patron--Kiggans
Referred to Committee on Education and Health
- S.B. 5071.** A BILL to amend and reenact § 51.1-155 of the Code of Virginia, relating to Virginia Retirement System; retired law-enforcement officers employed as school security officers.
(Prefiled August 17, 2020)
Patron--Cosgrove
Referred to Committee on Finance and Appropriations
- S.B. 5072.** A BILL to amend and reenact § 44-146.23 of the Code of Virginia, relating to Emergency Services and Disaster Law; immunity from liability; sheriffs' offices and regional jails.
(Prefiled August 17, 2020)
Patron--DeSteph
Referred to Committee on the Judiciary

S.B. 5073. A BILL to amend and reenact §§ 18.2-405 and 18.2-406 of the Code of Virginia, relating to riots and unlawful assemblies; dangerous weapons; penalty.

(Prefiled August 17, 2020)

Patron--DeSteph

Referred to Committee on the Judiciary

S.B. 5074. A BILL to amend and reenact §§ 18.2-151.1 and 18.2-414.1 of the Code of Virginia, relating to emergency medical services and equipment at the site of a riot or unlawful assembly; penalty.

(Prefiled August 17, 2020)

Patron--DeSteph

Referred to Committee on the Judiciary

S.B. 5075. A BILL to amend and reenact § 18.2-414 of the Code of Virginia, relating to injury to property by persons unlawfully or riotously assembled; penalty.

(Prefiled August 17, 2020)

Patron--DeSteph

Referred to Committee on the Judiciary

S.B. 5076. A BILL to amend the Code of Virginia by adding a section numbered 40.1-27.4 and by adding in Chapter 3 of Title 40.1 an article numbered 2.1, consisting of sections numbered 40.1-33.3 through 40.1-33.16, relating to employees; paid sick time; civil penalties.

(Prefiled August 17, 2020)

Patron--Favola

Referred to Committee on Commerce and Labor

S.B. 5077. A BILL to amend and reenact § 44-146.17 of the Code of Virginia, relating to emergency laws; powers and duties of Governor.

(Prefiled August 17, 2020)

Patron--Stanley

Referred to Committee on General Laws and Technology

S.B. 5078. A BILL to amend and reenact § 40.1-57.2, as it shall become effective, of the Code of Virginia, relating to collective bargaining; law-enforcement; prohibition.

(Prefiled August 17, 2020)

Patron--Stanley

Referred to Committee on Commerce and Labor

S.B. 5079. A BILL to amend the Code of Virginia by adding a section numbered 8.01-42.6, relating to civil action for law-enforcement free zones and standing down during a riot or unlawful assembly.

(Prefiled August 17, 2020)

Patron--Stanley

Referred to Committee on the Judiciary

S.B. 5080. A BILL to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.

(Prefiled August 17, 2020)

Patron--Barker

Referred to Committee on Education and Health

- S.B. 5081.** A BILL to amend the Code of Virginia by adding a section numbered 32.1-37.01, relating to outbreaks of communicable disease of public health threat; posting of information.
(Prefiled August 17, 2020)
Patron--Barker
Referred to Committee on Education and Health
- S.B. 5082.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-225.03, relating to certain hospices, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability; COVID-19; emergency.
(Prefiled August 17, 2020)
Patron--Marsden
Referred to Committee on the Judiciary
- S.B. 5083.** A BILL to require each school board to post its COVID-19 virus mitigation plan on its website; emergency.
EMERGENCY
(Prefiled August 17, 2020)
Patrons--McClellan and Hashmi
Referred to Committee on Education and Health
- S.B. 5084.** A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 16, consisting of sections numbered 9.1-193 through 9.1-196, relating to community care teams and mental health awareness response and community understanding services (MARCUS) alert system.
(Prefiled August 17, 2020)
Patrons--McClellan and Hashmi
Referred to Committee on the Judiciary
- S.B. 5085.** A BILL to amend and reenact § 56-585.1 of the Code of Virginia, relating to electric utility regulation; triennial review proceeding; emergency investigations; administration of earnings.
(Prefiled August 17, 2020)
Patron--Bell
Referred to Committee on Commerce and Labor
- S.B. 5086.** A BILL to amend the Code of Virginia by adding in Title 55.1 a chapter numbered 31, consisting of sections numbered 55.1-3100 and 55.1-3101, relating to property and conveyances; state of emergency; Emergency Housing Stability Protection Act; emergency.
EMERGENCY
(Prefiled August 17, 2020)
Patron--Bell
Referred to Committee on General Laws and Technology
- S.B. 5087.** A BILL to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.
(Prefiled August 17, 2020)
Patron--Dunnavant
Referred to Committee on Education and Health
- S.B. 5088.** A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.
(Prefiled August 17, 2020)
Patron--Ebbin
Referred to Committee on General Laws and Technology

- S.B. 5089.** A BILL to assist guests of certain transient lodging impacted by the COVID-19 pandemic; application of the Virginia Residential Landlord and Tenant Act; emergency.
EMERGENCY
(Prefiled August 17, 2020)
Patron--Locke
Referred to Committee on General Laws and Technology
- S.B. 5090.** A BILL to amend and reenact §§ 32.1-23 and 32.1-41 of the Code of Virginia, relating to Commissioner of Health; publication of information about certain communicable diseases; COVID-19 progress benchmarks; emergency.
EMERGENCY
(Prefiled August 18, 2020)
Patron--Dunnavant
Referred to Committee on Education and Health
- S.B. 5091.** A BILL to direct the Department of Education to create or obtain a student growth measurement system for use in public schools during the COVID-19 pandemic.
EMERGENCY
(Prefiled August 18, 2020)
Patron--Dunnavant
Referred to Committee on Rules
- S.B. 5092.** A BILL to amend and reenact § 58.1-322.03 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 58.1 a section numbered 58.1-339.13, relating to income tax credits and deductions; household and dependent care services.
(Prefiled August 18, 2020)
Patron--Dunnavant
Referred to Committee on Finance and Appropriations
- S.B. 5093.** A BILL to amend and reenact § 22.1-212.2 of the Code of Virginia, relating to Virtual Virginia; community college dual enrollment courses; emergency.
EMERGENCY
(Prefiled August 18, 2020)
Patron--Dunnavant
Referred to Committee on Education and Health
- S.B. 5094.** A BILL to require school boards to provide up to 14 days of COVID-19-related paid leave to teachers; emergency.
EMERGENCY
(Prefiled August 18, 2020)
Patron--Dunnavant
Referred to Committee on Education and Health
- S.B. 5095.** A BILL to amend the Code of Virginia by adding a section numbered 32.1-42.2, relating to rapid diagnostic testing; essential workers; emergency.
EMERGENCY
(Prefiled August 18, 2020)
Patron--Dunnavant
Referred to Committee on Education and Health
- S.B. 5096.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 17 of Title 63.2 a section numbered 63.2-1714.1, relating to child care providers; personal protective equipment during certain declared states of emergency; essential workers; emergency.
EMERGENCY
(Prefiled August 18, 2020)
Patron--Dunnavant
Referred to Committee on Rehabilitation and Social Services

- S.B. 5097.** A BILL to amend and reenact § 65.2-402.1 of the Code of Virginia, relating to workers' compensation; presumption as to death or disability from COVID-19.
(Prefiled August 18, 2020)
Patron--Vogel
Referred to Committee on Commerce and Labor
- S.B. 5098.** A BILL to provide immunity from civil claims related to the transmission of or exposure to the COVID-19 virus and use of personal protective equipment; emergency.
EMERGENCY
(Prefiled August 18, 2020)
Patron--Vogel
Referred to Committee on the Judiciary
- S.B. 5099.** A BILL to provide immunity from civil claims related to the transmission of or exposure to the COVID-19 virus and use of personal protective equipment; emergency.
EMERGENCY
(Prefiled August 18, 2020)
Patron--Vogel
Referred to Committee on the Judiciary
- S.B. 5100.** A BILL to amend and reenact § 22.1-254 of the Code of Virginia, relating to public schools; COVID-19-related student absences.
(Prefiled August 18, 2020)
Patron--Dunnivant
Referred to Committee on Education and Health
- S.B. 5101.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-271.9, relating to private school employees and volunteers; essential workers; personal protective equipment during certain declared states of emergency; emergency.
EMERGENCY
(Prefiled August 18, 2020)
Patron--Dunnivant
Referred to Committee on Education and Health
- S.B. 5102.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 58.1 a section numbered 58.1-339.13, relating to income tax credit for rent forgone due to the COVID-19 pandemic.
(Prefiled August 18, 2020)
Patron--Chafin
Referred to Committee on Finance and Appropriations
- S.B. 5103.** A BILL to amend and reenact § 53.1-151 of the Code of Virginia, relating to eligibility for parole; murder.
(Prefiled August 18, 2020)
Patron--Chafin
Referred to Committee on Rehabilitation and Social Services
- S.B. 5104.** A BILL to amend and reenact § 65.2-402.1 of the Code of Virginia, relating to workers' compensation; presumption as to death or disability from COVID-19.
(Prefiled August 18, 2020)
Patron--Deeds
Referred to Committee on Commerce and Labor

- S.B. 5105.** A BILL to amend and reenact § 32.1-41 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 32.1-37.01, relating to nursing homes; outbreaks of communicable disease; posting of information.
(Prefiled August 18, 2020)
Patron--Suetterlein
Referred to Committee on Education and Health
- S.B. 5106.** A BILL to amend the Code of Virginia by adding a section numbered 15.2-2209.1:1, relating to local land use approvals; extension of approvals to address the COVID-19 pandemic.
(Prefiled August 18, 2020)
Patron--Lewis
Referred to Committee on Local Government
- S.B. 5107.** A BILL to amend and reenact § 60.2-712 of the Code of Virginia and to repeal the third and fourth enactments of Chapter 1261 of the Acts of Assembly of 2020, relating to unemployment compensation; short-time compensation; sunset repeal; emergency,
EMERGENCY
(Prefiled August 18, 2020)
Patron--McPike
Referred to Committee on Commerce and Labor
- S.J.R. 5001.** Urging the Governor to rescind executive orders declaring a public health emergency and imposing restrictions on citizens, businesses, and schools in the Commonwealth due to the COVID-19 pandemic.
(Prefiled August 17, 2020)
Patron--Peake
Referred to Committee on Rules
- S.R. 503.** 2020 Special Session I operating resolution.
(Prefiled August 17, 2020)
Patron--Locke
Referred to Committee on Rules
- The following, by leave, were prefiled, presented, and laid on the Clerk's Desk under Senate Rule 26 (g):
- S.R. 501.** Celebrating the life of Nathan K. Kotz.
(Prefiled August 14, 2020)
Patron--Ebbin
- S.R. 502.** Commending the Honorable Nolan Dawkins.
(Prefiled August 14, 2020)
Patron--Ebbin
- S.R. 504.** Celebrating the life of George Issac Parker, Jr.
(Prefiled August 17, 2020)
Patron--Lewis
- S.R. 505.** Commending the Virginia Hospital & Healthcare Association, Virginia's hospitals, and hospital workers.
(Prefiled August 17, 2020)
Patron--Saslaw
- S.R. 506.** Celebrating the life of Daniel X. Sze.
(Prefiled August 17, 2020)
Patron--Saslaw

- S.R. 507.** Celebrating the life of Joe Louis Hairston.
(Prefiled August 17, 2020)
Patron--Stanley
- S.R. 508.** Celebrating the life of Darryl C. Smith, Sr.
(Prefiled August 17, 2020)
Patrons--Boysko, Bell, Edwards, Favola, Hashmi, Howell, Lucas, Morrissey, Ruff and Saslaw
- S.R. 509.** Commending James Orris Bryant, Sr.
(Prefiled August 17, 2020)
Patron--Newman
- S.R. 510.** Celebrating the life of Fitz Alexander Campbell Thomas.
(Prefiled August 17, 2020)
Patrons--Boysko, Bell, Favola, Edwards, Hashmi, Howell, Lucas, Morrissey and Saslaw
- S.R. 511.** Commending Ricky Gardner.
(Prefiled August 17, 2020)
Patron--Newman
- S.R. 512.** Celebrating the life of James Wesley Taylor, Sr., DDS.
(Prefiled August 17, 2020)
Patron--Locke
- S.R. 513.** Celebrating the life of Jimmy C. Hill.
(Prefiled August 18, 2020)
Patron--Chafin
- S.R. 514.** Celebrating the life of R. Wayne Browning, Sr.
(Prefiled August 18, 2020)
Patron--Lewis
- S.R. 515.** Celebrating the life of David McMath Parker.
(Prefiled August 18, 2020)
Patron--Lewis
- S.R. 516.** Commending Lloyd J. "Bud" Vye.
(Prefiled August 18, 2020)
Patron--Surovell
- S.R. 517.** Commending the Cave Spring High School boys' basketball team.
(Prefiled August 18, 2020)
Patron--Suetterlein
- S.R. 518.** Commending Patricia Swecker Hines.
(Prefiled August 18, 2020)
Patron--Suetterlein
- S.R. 519.** Commending Catoctin Creek Distilling Company.
(Prefiled August 18, 2020)
Patron--Bell

IMMEDIATE CONSIDERATION

Senator Locke moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **S.R. 503** (five hundred three), the readings of the title and engrossment be waived, and the resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--37.

NAYS--Peake, Reeves--2.

RULE 36--0.

SENATE RESOLUTION NO. 503

2020 Special Session I operating resolution.

RESOLVED by the Senate of Virginia, That the Comptroller be directed to issue his warrants on the Treasurer, payable from the contingent fund of the Senate, to accomplish the work of the Senate of Virginia as reported by the Clerk of the Senate to the Senate Rules Committee during the 2020 Special Session I. Necessary payments to cover contingent and incidental expenses will be certified by the Clerk of the Senate or her designee; and, be it

RESOLVED FURTHER, That members of the Senate shall receive session per diem and mileage reimbursement for any day they attend a scheduled floor session at which an attendance roll call is taken. Session per diem shall not be allowed for legislative assistants. Session per diem shall not be allowed for members of the Senate during a recess of the Special Session. However, members may receive compensation while the General Assembly is in recess, as provided in § 30-19.12 of the Code of Virginia and in the 2018-2020 Appropriation Act, as follows: (i) members of any standing committee authorized by the Senate and the Committee on Rules; (ii) members of any committee of conference; and (iii) members of any legislative committee, commission, or council established by the General Assembly.

S.R. 503, on motion of Senator Locke, was agreed to.

The recorded vote is as follows:

YEAS--34. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Petersen, Pillion, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell, Vogel--34.

NAYS--Chafin, Chase, Peake, Reeves, Stanley--5.

RULE 36--0.

Senator Saslaw was ordered to inform the House of Delegates that the Senate was duly organized and ready to proceed to business.

HOUSE COMMUNICATIONS

The following communications were received and read:

In the House of Delegates
August 18, 2020

THE HOUSE OF DELEGATES IS DULY ORGANIZED AND READY TO PROCEED TO BUSINESS.

/s/ Suzette Denslow
Clerk of the House of Delegates

In the House of Delegates
August 18, 2020

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTION:

H.J.R. 5006. Limiting legislation to be considered by the 2020 Special Session I of the General Assembly and establishing a schedule for the conduct of business coming before such Special Session.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

H.J.R. 5006 was taken up, read by title the first time, and referred to the Committee on Rules.

IMMEDIATE CONSIDERATION

Senator Locke moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **H.J.R. 5006** (five thousand six), the readings of the title be waived, and the joint resolution be taken up for immediate consideration.

RULING OF THE CHAIR

Senator Newman propounded a parliamentary inquiry as to the vote requirement to suspend the Rules, discharge the Committee on Rules from further consideration, waive the readings, and take up **H.J.R. 5006** for immediate consideration.

The Chair ruled that a vote of two-thirds of the Senators voting was required to suspend the Rules, discharge the Committee on Rules from further consideration, waive the readings, and take up **H.J.R. 5006** for immediate consideration.

PARLIAMENTARY INQUIRIES

Senator Newman propounded a further parliamentary inquiry as to the status of **H.J.R. 5006** if the Senate did not vote to suspend the Rules, discharge the Committee on Rules from further consideration, waive the readings, and take up the joint resolution for immediate consideration.

The Chair stated that **H.J.R. 5006** would remain in the Committee on Rules if the Senate did not vote to suspend the Rules, discharge the Committee on Rules from further consideration, waive the readings, and take up the joint resolution for immediate consideration. The Chair stated further that if **H.J.R. 5006** was reported from the Committee on Rules, the joint resolution would be on second reading on the Senate Calendar.

Senator Newman propounded a further parliamentary inquiry as to whether amendments to **H.J.R. 5006** could be offered in the Committee on Rules.

The Chair stated that the Senator was correct.

RECESS

At 2:15 p.m., Senator Saslaw moved that the Senate recess until 2:55 p.m.

The motion was agreed to.

The hour of 2:55 p.m. having arrived, the Chair was resumed.

IMMEDIATE CONSIDERATION

The question was put on suspending the Rules, discharging the Committee on Rules from further consideration of **H.J.R. 5006** (five thousand six), waiving the readings of the title, and taking up the joint resolution for immediate consideration.

Senator Norment moved, as a substitute motion, that **H.J.R. 5006** be agreed to.

Senator Norment moved the pending question.

PARLIAMENTARY INQUIRY

Senator Ebbin propounded a parliamentary inquiry as to whether it was out of order for a Senator to make a motion and then immediately move the pending question.

The Chair stated that the Senator was correct.

Senator Norment withdrew his motions.

Senator Norment moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **H.J.R. 5006**, the readings of the title be waived, and the joint resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--40.

NAYS--0.

RULE 36--0.

HOUSE JOINT RESOLUTION NO. 5006

Limiting legislation to be considered by the 2020 Special Session I of the General Assembly and establishing a schedule for the conduct of business coming before such Special Session.

RESOLVED by the House of Delegates, the Senate concurring, That during the 2020 Special Session I of the General Assembly, summoned by proclamation of the Governor on July 17, 2020, to begin August 18, 2020, except with the unanimous consent of the house in which the legislation is offered, no bill, joint resolution, or resolution shall be offered in either house during the Special Session other than those relating to (i) police reform and criminal and social justice reforms; (ii) impacts on health, education, state and local government operations, business, and the Commonwealth's economy from the Coronavirus Disease 2019 (COVID-19); (iii) Budget Bills; (iv) single-house commending or memorial resolutions; (v) the rules of procedure or schedule of business of the General Assembly, either of its houses, or any of its committees; or (vi) appointments subject to the confirmation of the General Assembly or either house;

RESOLVED FURTHER, after adoption of this resolution, no member may introduce more than three bills. The following shall not count against such limit: (i) legislation relating to the rules of procedure or schedule of business of the General Assembly, either of its houses, or any of its committees, (ii) any bill introduced with unanimous consent of the house in which the bill is offered to exceed such introduction limit, and (iii) bills or joint resolutions requested in writing by the Governor;

RESOLVED FURTHER, That after the Special Session is convened for the first time, each body may recess from time-to-time until reconvened with at least 48 hours' notice by the respective call of the Speaker of the House of Delegates or the Chair of the Senate Committee on Rules;

RESOLVED FURTHER, That any conference committee on the Budget Bill shall complete its deliberations and make the report of such conference available to the General Assembly as soon as practicable. Neither house shall consider such conference report earlier than 48 hours after receipt, unless both houses respectively determine to proceed earlier by a vote of two-thirds of the members voting in each house. No engrossment of the Budget Bill shall be required in either house, and any conference on the Budget Bill shall consider, as the basis of its deliberations, the Budget Bill as recommended by the Governor and introduced in the House and the amendments thereto proposed by each house. A report shall be issued concurrently with the report of the conference committee that identifies the following by item number, narrative description, and dollar amount: (i) any nonstate agency appropriation, (ii) any item in the conference report that was not included in a general appropriation bill as passed by either the House or the Senate, and (iii) any item that represents legislation that failed in either house during the 2020 Regular Session or the Special Session described hereunder; and, be it

RESOLVED FINALLY, That for purposes of this resolution:

"Budget Bill" means a general appropriation bill introduced in each house that proposes amendments to Chapter 1289 of the Acts of Assembly of 2020, the general appropriation act in effect for the period July 1, 2020, through June 30, 2022.

Senator Norment moved that **H.J.R. 5006** be agreed to.

The question was put on agreeing to **H.J.R. 5006**.

H.J.R. 5006 was rejected.

The recorded vote is as follows:

YEAS--0. NAYS--40. RULE 36--0.

YEAS--0.

NAYS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--40.

RULE 36--0.

Senator Locke was ordered to inform the House of Delegates thereof.

INTRODUCTION OF LEGISLATION

The following, by leave, were presented, ordered to be printed, and referred under Senate Rule 11 (b):

S.B. 5108. A BILL to amend and reenact § 15.2-915 of the Code of Virginia, relating to local control of firearms; concealed handgun permit.

Patron--Chafin

Referred to Committee on the Judiciary

S.B. 5109. A BILL to amend the Code of Virginia by adding a section numbered 32.1-45.5, relating to Commissioner of Health; nursing home employees and residents; priority for testing; COVID-19 pandemic.

Patron--Chafin

Referred to Committee on Education and Health

S.B. 5110. A BILL to amend and reenact §§ 19.2-389.3, 19.2-392.2, and 19.2-392.4 of the Code of Virginia, relating to expungement of certain charges and convictions; alcohol and marijuana-related offenses.

Patron--McDougle

Referred to Committee on the Judiciary

S.B. 5111. A BILL to amend and reenact § 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; limitation on duration of executive orders.

Patron--McDougle

Referred to Committee on General Laws and Technology

S.B. 5112. A BILL to amend and reenact § 15.2-1707 of the Code of Virginia, relating to decertification of law-enforcement officers; acts that compromise integrity or credibility.

Patron--McDougle

Referred to Committee on the Judiciary

S.B. 5113. A BILL to appropriate a sum sufficient for crisis intervention team training.

Patron--McDougle

Referred to Committee on Finance and Appropriations

S.B. 5114. A BILL to amend and reenact § 22.1-79 of the Code of Virginia, relating to school boards; in-person instruction; Internet access; emergency.

EMERGENCY

Patron--McDougle

Referred to Committee on Education and Health

S.B. 5115. A BILL to fund broadband expansion in certain areas of the Commonwealth.

Patron--McDougle

Referred to Committee on Commerce and Labor

S.B. 5116. A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 10 of Title 32.1 a section numbered 32.1-331.04, relating to in-home consumer-directed services; electronic visit verification; exception.

Patron--McDougle

Referred to Committee on Education and Health

On motion of Senator Lucas, the Senate adjourned until tomorrow at 12 m.

A handwritten signature in black ink, appearing to read "Justin E. Fairfax". The signature is fluid and cursive, with the first name being the most prominent.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is cursive and somewhat stylized, with the first name being the most prominent.

Susan Clarke Schaar
Clerk of the Senate

WEDNESDAY, AUGUST 19, 2020

The Senate met at 12 m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Senate observed a moment of silent prayer.

The Pledge of Allegiance to the Flag of the United States of America was led by Lindley Griffin, Calendar Clerk/Committee Clerk, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel.

A quorum was present.

After the roll call, Senators Barker and Marsden notified the Clerk of their presence.

On motion of Senator Howell, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Boysko, Chafin, Chase, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

NAYS--Cosgrove, Deeds, DeSteph--3.

RULE 36--0.

COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Lucas from the Committee on Education and Health:

S.B. 5004 (five thousand four) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5025 (five thousand twenty-five).

S.B. 5042 (five thousand forty-two).

S.B. 5068 (five thousand sixty-eight).

S.B. 5069 (five thousand sixty-nine) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5080 (five thousand eighty) with substitute.

S.B. 5081 (five thousand eighty-one) with substitute.

S.B. 5083 (five thousand eighty-three).

S.B. 5090 (five thousand ninety) with amendments.

S.B. 5094 (five thousand ninety-four) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5095 (five thousand ninety-five) with substitute.

S.B. 5100 (five thousand one hundred).

S.B. 5101 (five thousand one hundred one).

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on General Laws and Technology:

S.B. 5040 (five thousand forty) with the recommendation that it be rereferred to the Committee on the Judiciary.

The following bills, having been considered by the committee in session, were reported by Senator Edwards from the Committee on the Judiciary:

S.B. 5024 (five thousand twenty-four) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5030 (five thousand thirty) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5032 (five thousand thirty-two) with substitute.

The following bills, having been considered by the committee in session, were reported by Senator Favola from the Committee on Rehabilitation and Social Services:

S.B. 5017 (five thousand seventeen) with amendments with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5018 (five thousand eighteen) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5034 (five thousand thirty-four) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5036 (five thousand thirty-six).

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on Rehabilitation and Social Services:

S.B. 5016 (five thousand sixteen) with the recommendation that it be rereferred to the Committee on the Judiciary.

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on Transportation:

S.B. 5029 (five thousand twenty-nine) with the recommendation that it be rereferred to the Committee on the Judiciary.

S.B. 5004, S.B. 5017, S.B. 5018, S.B. 5024, S.B. 5030, S.B. 5034, S.B. 5069, and S.B. 5094 were rereferred to the Committee on Finance and Appropriations.

S.B. 5016, S.B. 5029, and S.B. 5040 were rereferred to the Committee on the Judiciary.

INTRODUCTION OF LEGISLATION

The following, by leave, were presented, ordered to be printed, and referred under Senate Rule 11 (b):

S.B. 5117. A BILL to amend and reenact § 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of the Governor; executive orders; penalty.

Patron--Deeds

Referred to Committee on General Laws and Technology

S.B. 5118. A BILL to require certain utilities to develop an Emergency Debt Repayment Plan.

Patrons--McClellan and Hashmi

Referred to Committee on Commerce and Labor

The following, by leave, was presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 520. Commending Disabled American Veterans.

Patron--Reeves

CALENDAR

MEMORIAL RESOLUTIONS

On motion of Senator Saslaw, the questions on agreeing to the Senate resolutions that follow were considered en bloc.

On motion of Senator Saslaw, the following Senate resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

S.R. 501 (five hundred one).

S.R. 504 (five hundred four).

S.R. 506 (five hundred six).

S.R. 507 (five hundred seven).

S.R. 508 (five hundred eight).

S.R. 510 (five hundred ten).

S.R. 512 (five hundred twelve).

S.R. 513 (five hundred thirteen).

S.R. 514 (five hundred fourteen), on motion of Senator Lewis, was passed by for the day.

S.R. 515 (five hundred fifteen), on motion of Senator Lewis, was passed by for the day.

COMMENDING RESOLUTIONS

On motion of Senator Saslaw, the questions on agreeing to the Senate resolutions that follow were considered en bloc.

On motion of Senator Saslaw, the following Senate resolutions were taken up, ordered to be engrossed, and agreed to en bloc:

S.R. 505 (five hundred five).

S.R. 509 (five hundred nine).

S.R. 511 (five hundred eleven).

S.R. 516 (five hundred sixteen).

S.R. 517 (five hundred seventeen).

S.R. 518 (five hundred eighteen).

S.R. 519 (five hundred nineteen).

S.R. 502 (five hundred two), on motion of Senator Ebbin, was passed by for the day.

SUPPLEMENTAL CALENDAR NO. 1

SENATE BILLS ON FIRST READING

S.B. 5036 (five thousand thirty-six) was read by title the first time.

S.B. 5032 (five thousand thirty-two) was read by title the first time.

RECESS

At 1:50 p.m., Senator Saslaw moved that the Senate recess until 2:25 p.m.

The motion was agreed to.

The hour of 2:25 p.m. having arrived, the Chair was resumed.

On motion of Senator Lucas, the Senate adjourned until tomorrow at 12 m.



Justin E. Fairfax
President of the Senate



Susan Clarke Schaar
Clerk of the Senate

THURSDAY, AUGUST 20, 2020

The Senate met at 12 m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Senate observed a moment of silent prayer.

The Pledge of Allegiance to the Flag of the United States of America was led by Corinne Sloan, Assistant Journal Clerk, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell.

A quorum was present.

After the roll call, Senators Petersen and Vogel notified the Clerk of their presence.

On motion of Senator Newman, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--37.

NAYS--Deeds, DeSteph--2.

RULE 36--0.

COMMITTEE REPORTS

The following bill, having been considered by the committee in session, was reported by Senator Saslaw from the Committee on Commerce and Labor:

S.B. 5066 (five thousand sixty-six) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

The following bill, having been considered by the committee in session, was reported by Senator Barker from the Committee on General Laws and Technology:

S.B. 5088 (five thousand eighty-eight) with substitute.

The following bill, having been considered by the committee in session, was reported by Senator Lewis from the Committee on Local Government:

S.B. 5106 (five thousand one hundred six) with substitute.

The following bills, having been considered by the committee in session, were reported by Senator Locke from the Committee on Rules:

S.B. 5003 (five thousand three).
S.B. 5045 (five thousand forty-five) with amendment.
S.B. 5047 (five thousand forty-seven).

S.B. 5066 was rereferred to the Committee on Finance and Appropriations.

INTRODUCTION OF LEGISLATION

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 521. Commending Ira Agricola.
Patron--DeSteph

S.R. 522. Celebrating the life of Richard Duane West, M.D., F.A.C.S.
Patron--DeSteph

S.R. 523. Celebrating the life of Michael George Mumejian.
Patron--DeSteph

S.R. 524. Commending Human Food RVA.
Patron--DeSteph

CALENDAR

SENATE BILLS ON SECOND READING

S.B. 5036 (five thousand thirty-six) was read by title the second time and, on motion of Senator McPike, was ordered to be engrossed and read by title the third time.

S.B. 5032 (five thousand thirty-two) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 18.2-57 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-9.2, relating to assault and battery against a law-enforcement officer; penalty.

The reading of the substitute was waived.

On motion of Senator Surovell, the substitute was agreed to.

On motion of Senator Surovell, the bill was ordered to be engrossed and read by title the third time.

SENATE BILLS ON FIRST READING

Senator Saslaw moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

S.B. 5068 (five thousand sixty-eight).
S.B. 5080 (five thousand eighty).

- S.B. 5081 (five thousand eighty-one).
- S.B. 5083 (five thousand eighty-three).
- S.B. 5090 (five thousand ninety).
- S.B. 5095 (five thousand ninety-five).
- S.B. 5100 (five thousand one hundred).
- S.B. 5101 (five thousand one hundred one).
- S.B. 5025 (five thousand twenty-five).
- S.B. 5042 (five thousand forty-two).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--40.

NAYS--0.

RULE 36--0.

On motion of Senator Saslaw, the following Senate bills were passed by for the day:

- S.B. 5068 (five thousand sixty-eight).
- S.B. 5080 (five thousand eighty).
- S.B. 5081 (five thousand eighty-one).
- S.B. 5083 (five thousand eighty-three).
- S.B. 5090 (five thousand ninety).
- S.B. 5095 (five thousand ninety-five).
- S.B. 5100 (five thousand one hundred).
- S.B. 5101 (five thousand one hundred one).
- S.B. 5025 (five thousand twenty-five).
- S.B. 5042 (five thousand forty-two).

MEMORIAL RESOLUTIONS

S.R. 514 (five hundred fourteen), on motion of Senator Lewis, was ordered to be engrossed and was agreed to by a unanimous standing vote.

S.R. 515 (five hundred fifteen), on motion of Senator Lewis, was ordered to be engrossed and was agreed to by a unanimous standing vote.

COMMENDING RESOLUTION

S.R. 520 (five hundred twenty), on motion of Senator Reeves, was ordered to be engrossed and was agreed to.

SUPPLEMENTAL CALENDAR NO. 1

SENATE BILLS ON FIRST READING

Senator Saslaw moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

S.B. 5047 (five thousand forty-seven).

S.B. 5088 (five thousand eighty-eight).

S.B. 5003 (five thousand three).

S.B. 5045 (five thousand forty-five).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--39.

NAYS--0.

RULE 36--0.

On motion of Senator Saslaw, the following Senate bills were passed by for the day:

S.B. 5047 (five thousand forty-seven).

S.B. 5088 (five thousand eighty-eight).

S.B. 5003 (five thousand three).

S.B. 5045 (five thousand forty-five).

RECESS

At 12:50 p.m., Senator Obenshain moved that the Senate recess until 1:25 p.m.

The motion was agreed to.

The hour of 1:25 p.m. having arrived, the Chair was resumed.

Pursuant to the provisions of Senate Rule 2 (c), the President pro tempore named Senator Jennifer L. McClellan to perform the duties of the Presiding Officer in her absence on Friday, August 21, 2020.

On motion of Senator Lucas, the Senate adjourned until tomorrow at 10:00 a.m. The Clerk was ordered to receive the committee report.

COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Edwards from the Committee on the Judiciary:

S.B. 5007 (five thousand seven) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5013 (five thousand thirteen) with substitute.

S.B. 5014 (five thousand fourteen) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5029 (five thousand twenty-nine) with substitute.

S.B. 5033 (five thousand thirty-three) with substitute.

S.B. 5035 (five thousand thirty-five) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5037 (five thousand thirty-seven) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5038 (five thousand thirty-eight) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5041 (five thousand forty-one) with amendments.

S.B. 5043 (five thousand forty-three) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5052 (five thousand fifty-two).

S.B. 5053 (five thousand fifty-three) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

The following bills, having been considered by the committee in session, were recommended for rereferral by the Committee on the Judiciary:

S.B. 5002 (five thousand two) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5005 (five thousand five) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5049 (five thousand forty-nine) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5002, S.B. 5005, S.B. 5007, S.B. 5014, S.B. 5035, S.B. 5037, S.B. 5038, S.B. 5043, S.B. 5049, and S.B. 5053 were rereferred to the Committee on Finance and Appropriations.



Justin E. Fairfax
President of the Senate



Susan Clarke Schaar
Clerk of the Senate

FRIDAY, AUGUST 21, 2020

The Senate met at 10:00 a.m. and was called to order by the Acting President pro tempore, Senator Jennifer L. McClellan.

The Senate observed a moment of silent prayer.

The Pledge of Allegiance to the Flag of the United States of America was led by Nathan Hatfield, Assistant Clerk-LINCS, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

McClellan, McDougle.

Two Senators were present.

On motion of Senator McDougle, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--2. NAYS--0. RULE 36--0.

YEAS--McClellan, McDougle--2.

NAYS--0.

RULE 36--0.

INTRODUCTION OF LEGISLATION

The following, by leave, were presented, ordered to be printed, and referred under Senate Rule 11 (b):

S.B. 5119. A BILL to amend and reenact § 51.1-124.3 of the Code of Virginia, relating to Virginia Retirement System; average final compensation.

Patron--Ruff

Referred to Committee on Finance and Appropriations

S.B. 5120. A BILL to amend and reenact Chapter 1289 of the Acts of Assembly of 2020, which appropriates the public revenues for two years ending, respectively, on June 30, 2021, and June 30, 2022, by adding an item numbered 86.10, relating to the general appropriation act; appropriation of funds for the Department of Elections.

Patron--Howell

Referred to Committee on Finance and Appropriations

Pursuant to the provisions of Senate Rule 2 (c), the President pro tempore named Senator Jennifer L. McClellan to perform the duties of the Presiding Officer in her absence on Monday, August 24, 2020.

On motion of Senator McDougle, the Senate adjourned until Monday, August 24, 2020, at 1:00 p.m.

A handwritten signature in black ink that reads "Jennifer L. McClellan". The signature is written in a cursive style with a large, prominent initial "J".

Jennifer L. McClellan
Acting President pro tempore of the Senate

A handwritten signature in black ink that reads "Susan Clarke Schaar". The signature is written in a cursive style with a large, prominent initial "S".

Susan Clarke Schaar
Clerk of the Senate

MONDAY, AUGUST 24, 2020

The Senate met at 1:00 p.m. and was called to order by the Acting President pro tempore, Senator Jennifer L. McClellan.

The Senate observed a moment of silent prayer.

The Pledge of Allegiance to the Flag of the United States of America was led by Hobie Lehman, Assistant Clerk-Committee Operations/Sergeant-at-Arms, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

McClellan, McDougale.

Two Senators were present.

On motion of Senator McDougale, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--2. NAYS--0. RULE 36--0.

YEAS--McClellan, McDougale--2.

NAYS--0.

RULE 36--0.

INTRODUCTION OF LEGISLATION

The following, by leave, was presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 525. Celebrating the life of Engin Mehmet Artemel.

Patron--Ebbin

On motion of Senator McDougale, the Senate adjourned until Wednesday, August 26, 2020, at 12 m. The Clerk was ordered to receive the committee reports.

COMMITTEE REPORTS

The following bill, having been considered by the committee in session, was reported by Senator Howell from the Committee on Finance and Appropriations:

S.B. 5120 (five thousand one hundred twenty) with substitute.

The following bills, having been considered by the committee in session, were reported by Senator Favola from the Committee on Rehabilitation and Social Services:

S.B. 5050 (five thousand fifty) with amendments.

S.B. 5096 (five thousand ninety-six).

A handwritten signature in black ink, reading "Jennifer L. McClellan". The signature is written in a cursive style with a large, prominent initial "J".

Jennifer L. McClellan
Acting President pro tempore of the Senate

A handwritten signature in black ink, reading "Susan Clarke Schaar". The signature is written in a cursive style with a large, prominent initial "S".

Susan Clarke Schaar
Clerk of the Senate

WEDNESDAY, AUGUST 26, 2020

The Senate met at 12 m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Lionell Spruill, Sr., Fifth Senatorial District, offered the following prayer:

Bless the Lord, oh my soul, and all that be within me, bless His holy name. Bless the Lord, oh my soul, and forget not all His benefits. Who forgives all our inequities. Who heals all our disease. Who redeems your life from destruction. Who crowned you with love, kindness, and eternal mercy. Who certified your mouth with good things. My Father, once again, we come to thank You because You have been so good. Thank You, dear Father, because You allowed us to wake up this morning to see another day. I ask You, dear Father, so please, as You said in 2 Chronicles, "If we return from our wicked ways you will heal our land." Therefore, let me start by saying bless this world, dear Father. You know what we are all about, this disease that we have. Touch there in the name of Jesus that You will heal the land. Dear Father, bless those who are in Washington, from the President on down. Touch their hearts and let them know, dear Father, that they will do the business of the people. Dear Father, come on down to Richmond. Bless each one of us, starting from the Lieutenant Governor, all the members, the Clerk, her staff, State Troopers, to all who are here, dear Father. Touch our hearts and help me do what's right. Dear Father, please forgive us because we have sinned. Touch all of our citizens, dear Father. Please have some control on what is going on in the streets. Let us know, dear Father, if we are going to pray and turn to You, You will forgive our sins, and we will be alright. Dear Father, let us now do what You have asked us to do in this place and we will be so careful to give You all the honor, all the glory, and all the praise. In Jesus' name we ask these things, Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Portia Brown, Administrative Assistant, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell.

A quorum was present.

After the roll call, Senator Peake notified the Clerk of his presence.

On motion of Senator Deeds, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--29. NAYS--5. RULE 36--1.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Dunnavant, Ebbin, Edwards, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Pillion, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell--29.

NAYS--Cosgrove, DeSteph, McDougale, Petersen, Stanley--5.

RULE 36--Deeds--1.

COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Lucas from the Committee on Education and Health:

S.B. 5109 (five thousand one hundred nine).

S.B. 5116 (five thousand one hundred sixteen) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5116 was rereferred to the Committee on Finance and Appropriations.

INTRODUCTION OF LEGISLATION

The following, by leave, was presented, ordered to be printed, and referred under Senate Rule 11 (b):

S.B. 5121. A BILL to amend and reenact § 20-25 of the Code of Virginia, relating to persons who may celebrate rites of marriage; members of the General Assembly.

Patron--Cosgrove

Referred to Committee on the Judiciary

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 526. Commending Clifford T. Bowen.

Patron--Norment

S.R. 527. Commending Lindsey Pantele.

Patron--Dunnivant

RECESS

At 12:15 p.m., Senator Saslaw moved that the Senate recess until 12:50 p.m.

The motion was agreed to.

The hour of 12:50 p.m. having arrived, the Chair was resumed.

CALENDAR

SENATE BILLS ON THIRD READING

S.B. 5036 (five thousand thirty-six) was read by title the third time and, on motion of Senator McPike, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell--36.

NAYS--0.

RULE 36--0.

S.B. 5032 (five thousand thirty-two) was read by title the third time and, on motion of Senator Surovell, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--15. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougale, Newman, Norment, Peake, Pillion, Ruff, Stanley, Suetterlein--15.

RULE 36--0.

SENATE BILLS ON SECOND READING

S.B. 5047 (five thousand forty-seven), on motion of Senator Norment, was passed by for the day.

S.B. 5095 (five thousand ninety-five), on motion of Senator Dunnavant, was passed by for the day.

Senator Saslaw moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Saslaw moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

S.B. 5068 (five thousand sixty-eight).

S.B. 5080 (five thousand eighty).

S.B. 5081 (five thousand eighty-one).

S.B. 5083 (five thousand eighty-three).

S.B. 5088 (five thousand eighty-eight).

S.B. 5090 (five thousand ninety).

S.B. 5100 (five thousand one hundred).

S.B. 5101 (five thousand one hundred one).

The motion was agreed to.

S.B. 5080 (five thousand eighty) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.

The reading of the substitute was waived.

On motion of Senator Barker, the substitute was agreed to.

S.B. 5088 (five thousand eighty-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws and Technology was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

The reading of the substitute was waived.

On motion of Senator Ebbin, the substitute was agreed to.

S.B. 5090 (five thousand ninety) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 30, introduced, after *nursing homes*,
insert
assisted living facilities,
2. Line 43, introduced, after *nursing homes*,
insert
assisted living facilities,

The reading of the amendments was waived.

Senator Dunnivant moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were rejected.

Senator Dunnivant offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to direct the Commissioner of Health to make certain COVID-19-related data available to the public.

On motion of Senator Dunnivant, the reading of the substitute was waived.

On motion of Senator Dunnivant, the substitute was agreed to.

On motion of Senator Saslaw, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

S.B. 5068 (five thousand sixty-eight).
S.B. 5080 (five thousand eighty) as amended.
S.B. 5083 (five thousand eighty-three).
S.B. 5088 (five thousand eighty-eight) as amended.
S.B. 5090 (five thousand ninety) as amended.
S.B. 5100 (five thousand one hundred).
S.B. 5101 (five thousand one hundred one).

S.B. 5081 (five thousand eighty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 32.1-37.01, relating to outbreaks of communicable disease of public health threat; posting of information.

The reading of the substitute was waived.

Senator Barker moved that the substitute be agreed to.

RULING OF THE CHAIR

Senator McDougle propounded a parliamentary inquiry as to the vote requirement on passage of S.B. 5081 if the committee substitute and the amendment offered by Senator Barker were agreed to.

The Chair ruled that the vote requirement on agreeing to the committee substitute and the amendment offered by Senator Barker to S.B. 5081 was a majority of the members voting. The Chair ruled further that the vote requirement on passage of S.B. 5081 would then be four-fifths of the members voting, pursuant to Article IV, Section 13 of the Constitution.

The question was put on agreeing to the substitute.

The substitute was agreed to.

Senator Barker offered the following amendment to the substitute:

1. After line 23, substitute
insert

2. That an emergency exists and this act is in force from its passage.

On motion of Senator Barker, the reading of the amendment was waived.

On motion of Senator Barker, the amendment was agreed to.

On motion of Senator Barker, the bill was ordered to be engrossed and read by title the third time.

S.B. 5003 (five thousand three), on motion of Senator Petersen, was passed by for the day.

S.B. 5025 (five thousand twenty-five), on motion of Senator Newman, was passed by for the day.

S.B. 5042 (five thousand forty-two), on motion of Senator Kiggans, was passed by for the day.

S.B. 5045 (five thousand forty-five) was read by title the second time.

The following amendment proposed by the Committee on Rules was offered:

1. After line 58, introduced
insert

2. That the provisions of the first enactment of this act shall not become effective unless reenacted by the 2021 Session of the General Assembly.

3. That the Department of Planning and Budget, in conjunction with the Department of Juvenile Justice, shall conduct a pilot program under which it prepares a fiscal impact statement for two bills to be referred by the Chair of the Senate Committee on Finance and Appropriations and two bills to be referred by the Chair of the House Committee on Appropriations that would result in a net decrease in periods of commitment to the custody of the Department of Juvenile Justice. The referred bills shall include bills that would repeal crimes for which imprisonment or commitment is authorized, decrease the periods of imprisonment or commitment authorized for existing crimes, or eliminate minimum or mandatory minimum terms. The impact statements shall determine the effect on operating costs attributable to and necessary appropriations, if any, for the referred bills. The impact statements shall be prepared using the methodology described in § 30-19.1:4 of the Code of Virginia and shall be submitted to the General Assembly by December 15, 2020.

4. That the Virginia Criminal Sentencing Commission shall conduct a pilot program under which it prepares a fiscal impact statement for two bills to be referred by the Chair of the Senate Committee on Finance and Appropriations and two bills to be referred by the Chair of the House Committee on Appropriations that would result in a net decrease in periods of imprisonment in state adult correctional facilities. The referred bills shall include bills that would repeal crimes for which imprisonment or commitment is authorized, decrease the periods of imprisonment or commitment authorized for existing crimes, or eliminate minimum or mandatory minimum terms. The impact statements shall determine the effect on operating costs attributable to and necessary appropriations, if any, for the referred bills. The impact statements shall be prepared using the methodology described in § 30-19.1:4 of the Code of Virginia and shall be submitted to the General Assembly by December 15, 2020.

The reading of the amendment was waived.

On motion of Senator Surovell, the amendment was agreed to.

On motion of Senator Surovell, the bill was ordered to be engrossed and read by title the third time.

SENATE BILLS ON FIRST READING

Senator Saslaw moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 5041 (five thousand forty-one).
- S.B. 5052 (five thousand fifty-two).
- S.B. 5096 (five thousand ninety-six).
- S.B. 5013 (five thousand thirteen).
- S.B. 5029 (five thousand twenty-nine).

- S.B. 5033 (five thousand thirty-three).
- S.B. 5050 (five thousand fifty).
- S.B. 5106 (five thousand one hundred six).
- S.B. 5120 (five thousand one hundred twenty).

The motion was agreed to.

The recorded vote is as follows:

YEAS--34. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell--34.

NAYS--0.

RULE 36--0.

On motion of Senator Saslaw, the following Senate bills were passed by for the day:

- S.B. 5041 (five thousand forty-one).
- S.B. 5052 (five thousand fifty-two).
- S.B. 5096 (five thousand ninety-six).
- S.B. 5013 (five thousand thirteen).
- S.B. 5029 (five thousand twenty-nine).
- S.B. 5033 (five thousand thirty-three).
- S.B. 5050 (five thousand fifty).
- S.B. 5106 (five thousand one hundred six).
- S.B. 5120 (five thousand one hundred twenty).

MEMORIAL RESOLUTIONS

On motion of Senator Saslaw, the questions on agreeing to the Senate resolutions that follow were considered en bloc.

On motion of Senator Saslaw, the following Senate resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

- S.R. 522 (five hundred twenty-two).
- S.R. 523 (five hundred twenty-three).
- S.R. 525 (five hundred twenty-five).

COMMENDING RESOLUTIONS

S.R. 521 (five hundred twenty-one), on motion of Senator DeSteph, was passed by for the day.

S.R. 524 (five hundred twenty-four), on motion of Senator DeSteph, was ordered to be engrossed and was agreed to.

On motion of Senator McDougle, a leave of absence for the day was granted Senator Obenshain on account of pressing personal business.

On motion of Senator Stanley, a leave of absence for the day was granted Senators Reeves and Vogel on account of pressing personal business.

HONORARY ADJOURNMENT

Senator Norment addressed the Senate in memory of former Lieutenant Governor John H. Hager.

Senator Norment requested that when the Senate adjourns today, it adjourn in memory of former Lieutenant Governor John H. Hager.

On motion of Senator Lucas, the Senate, in memory of former Lieutenant Governor John H. Hager, adjourned until tomorrow at 10:00 a.m.

A handwritten signature in black ink, appearing to read "J. E. Fairfax". The signature is fluid and cursive, with the first and last letters of each name being capitalized and prominent.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is cursive and somewhat stylized, with the first and last letters of each name being capitalized and prominent.

Susan Clarke Schaar
Clerk of the Senate

THURSDAY, AUGUST 27, 2020

The Senate met at 10:00 a.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Jen A. Kiggans, Seventh Senatorial District, offered the following prayer:

Dear God, we thank You for bringing us together this day as we begin a new day of service in the General Assembly of our Commonwealth. We thank You for allowing us to be together today and we ask for daily guidance to obey Your laws, to do Your will, and to serve Your people with humility and grace.

As we continue this Special Session of the General Assembly, we do so with great hope. We celebrate the democracy that we are blessed to practice in this great country and ask for Your wisdom when debating the difficulties of our Commonwealth and communities. As we consider legislation that is contentious and unresolved, let us approach these times with a mindset of clarity and peace. We know that You are here to help and want to guide us through as we walk in Your footsteps.

We pray especially for our military members who serve and defend our great nation voluntarily and ask for Your blessing upon their families. We pray also for those who serve our communities through law enforcement, fire, medical, and emergency services and ask for their continued safety throughout the year. During this global pandemic, we pray for those people and families affected by COVID-19 and we remember those who are sick or isolated due to the coronavirus.

Please guide and protect us all as we serve in public office through this special legislative session, and may all that is done be for Your greater honor and glory now and forever. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Bladen Finch, Senate Page Program Director/Civics Coordinator, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Bell, Boysko, Chafin, Chase, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell.

A quorum was present.

After the roll call, Senators Barker and Cosgrove notified the Clerk of their presence.

On motion of Senator Hanger, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--25. NAYS--5. RULE 36--0.

YEAS--Boysko, Chafin, Chase, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Peake, Pillion, Ruff, Saslaw, Spruill, Suetterlein--25.

NAYS--Deeds, DeSteph, McDougle, Petersen, Stanley--5.

RULE 36--0.

COMMITTEE REPORTS

The following bill, having been considered by the committee in session, was reported by Senator Saslaw from the Committee on Commerce and Labor:

S.B. 5107 (five thousand one hundred seven) with amendment.

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on Commerce and Labor:

S.B. 5115 (five thousand one hundred fifteen) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

The following bills, having been considered by the committee in session, were reported by Senator Edwards from the Committee on the Judiciary:

S.B. 5067 (five thousand sixty-seven) with substitute.

S.B. 5082 (five thousand eighty-two) with substitute.

S.B. 5115 was rereferred to the Committee on Finance and Appropriations.

INTRODUCTION OF LEGISLATION

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 528. Celebrating the life of Ralph Essex Turpin, Jr.
Patron--Deeds

S.R. 529. Celebrating the life of Jerry Austin Rexrode.
Patron--Deeds

S.R. 530. Celebrating the life of Percy Conway Nowlin III.
Patron--Deeds

S.R. 531. Celebrating the life of Robert Joseph Anderson.
Patron--Deeds

CALENDAR

SENATE BILLS ON THIRD READING

Senator Saslaw moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

S.B. 5068 (five thousand sixty-eight).

S.B. 5080 (five thousand eighty).

S.B. 5081 (five thousand eighty-one).

S.B. 5083 (five thousand eighty-three).

S.B. 5088 (five thousand eighty-eight).

S.B. 5090 (five thousand ninety).

S.B. 5100 (five thousand one hundred).

S.B. 5101 (five thousand one hundred one).

The motion was agreed to.

Senator Saslaw moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Saslaw, the following Senate bills were passed en bloc with their titles:

S.B. 5068 (five thousand sixty-eight).

S.B. 5080 (five thousand eighty).

S.B. 5081 (five thousand eighty-one).

S.B. 5083 (five thousand eighty-three).

S.B. 5088 (five thousand eighty-eight).

S.B. 5090 (five thousand ninety).
S.B. 5100 (five thousand one hundred).
S.B. 5101 (five thousand one hundred one).

The recorded vote is as follows:
YEAS--34. NAYS--0. RULE 36--0.

YEAS--Bell, Boysko, Chafin, Chase, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell--34.

NAYS--0.
RULE 36--0.

S.B. 5045 (five thousand forty-five) was read by title the third time and, on motion of Senator Surovell, was passed with its title.

The recorded vote is as follows:
YEAS--21. NAYS--13. RULE 36--1.

YEAS--Bell, Boysko, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Hanger, Kiggans, McDougale, Newman, Norment, Peake, Pillion, Ruff, Stanley--13.
RULE 36--Suetterlein--1.

SENATE BILLS ON SECOND READING

Senator Saslaw moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Saslaw moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

S.B. 5047 (five thousand forty-seven).
S.B. 5095 (five thousand ninety-five).
S.B. 5041 (five thousand forty-one).
S.B. 5052 (five thousand fifty-two).
S.B. 5096 (five thousand ninety-six).

The motion was agreed to.

S.B. 5041 (five thousand forty-one) was taken up.

The following amendments proposed by the Committee on the Judiciary were offered:

1. Line 14, introduced, after **on**
strike
January
insert
July

2. Line 14, introduced, after 1,
strike
~~2021~~ 2022
insert
2021

The reading of the amendments was waived.

On motion of Senator Stanley, the amendments were agreed to.

S.B. 5052 (five thousand fifty-two) was taken up.

Senator Norment offered the following amendments:

1. Line 21, introduced, after *assisting*
insert
state or
2. Line 26, introduced, after *to*
insert
state or
3. Line 26, introduced, after *assisting*
insert
state or

On motion of Senator Norment, the reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

On motion of Senator Saslaw, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

S.B. 5047 (five thousand forty-seven).

S.B. 5041 (five thousand forty-one) as amended.

S.B. 5052 (five thousand fifty-two) as amended.

S.B. 5096 (five thousand ninety-six).

S.B. 5095 (five thousand ninety-five), on motion of Senator Dunnavant, was passed by temporarily.

S.B. 5003 (five thousand three), on motion of Senator Stanley, was passed by for the day.

S.B. 5025 (five thousand twenty-five), on motion of Senator Newman, was passed by for the day.

S.B. 5042 (five thousand forty-two) was read by title the second time.

Senator Cosgrove offered the following amendments:

1. Line 208, introduced, after *patient*.
insert

The determination of whether the visit occurs virtually or in person, shall be made by the certified nursing facility, not the patient.

2. Line 253, introduced, after *patient*.

insert

The determination of whether the visit occurs virtually or in person, shall be made by the hospice facility, not the patient.

Senator Cosgrove withdrew the amendments.

Senator Kiggans offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 32.1-127 and 32.1-162.5 of the Code of Virginia, relating to State Board of Health; public health emergency; patient visitation; notice to family; emergency.

On motion of Senator Kiggans, the reading of the substitute was waived.

On motion of Senator Kiggans, the substitute was agreed to.

On motion of Senator Kiggans, the bill was ordered to be engrossed and read by title the third time.

S.B. 5013 (five thousand thirteen) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 18.2-250.1 of the Code of Virginia, relating to possession of marijuana; prepay penalty.

The reading of the substitute was waived.

On motion of Senator Ebbin, the substitute was agreed to.

On motion of Senator Stanley, the bill was ordered to be engrossed and read by title the third time.

S.B. 5029 (five thousand twenty-nine), on motion of Senator Surovell, was passed by temporarily.

S.B. 5033 (five thousand thirty-three) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 19.2-265.3 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-298.02, relating to court authority in criminal cases; prosecutorial discretion to dispose of a criminal case.

The reading of the substitute was waived.

On motion of Senator Surovell, the substitute was agreed to.

On motion of Senator Surovell, the bill was ordered to be engrossed and read by title the third time.

S.B. 5050 (five thousand fifty), on motion of Senator Surovell, was passed by for the day.

S.B. 5106 (five thousand one hundred six) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 15.2-2209.1:1, relating to local land use approvals; extension of approvals to address the COVID-19 pandemic.

The reading of the substitute was waived.

On motion of Senator Lewis, the substitute was agreed to.

On motion of Senator Lewis, the bill was ordered to be engrossed and read by title the third time.

S.B. 5120 (five thousand one hundred twenty) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance and Appropriations was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact Chapter 1289 of the Acts of Assembly of 2020, which appropriates the public revenues for two years ending, respectively, on June 30, 2021, and June 30, 2022, by adding an item numbered 86.10, relating to the general appropriation act; appropriation of funds for the Department of Elections.

The reading of the substitute was waived.

Senator Howell moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Howell offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact Chapter 1289 of the Acts of Assembly of 2020, which appropriates the public revenues for two years ending, respectively, on June 30, 2021, and June 30, 2022, by adding an item numbered 86.10, relating to the general appropriation act; appropriation of funds for the Department of Elections.

On motion of Senator Howell, the reading of the substitute was waived.

On motion of Senator Howell, the substitute was agreed to.

Senator Deeds offered the following amendment to the substitute:

1. Line 57, floor substitute, after *requirements*.
insert

The Department of Elections shall submit such standards to the Chairmen of the House and Senate Committees on Privileges and Elections, the Senate Committee on Finance and Appropriations, and the House Committee on Appropriations within 30 days of the effective date of this act.

On motion of Senator Deeds, the reading of the amendment was waived.

On motion of Senator Deeds, the amendment was agreed to.

Senator Newman offered the following amendment to the committee substitute:

1. Line 45, committee substitute, after *(iii)*
insert
by the voter

RULING OF THE CHAIR

The Chair ruled that the amendment offered by Senator Newman to the committee substitute was out of order.

Senator Newman offered the following amendment to the substitute offered by Senator Howell:

2. Line 45, floor substitute, after *(iii)*
insert
by the voter

On motion of Senator Newman, the reading of the amendment was waived.

Senator Newman moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:
YEAS--15. NAYS--21. RULE 36--0.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougale, Newman, Norment, Peake, Pillion, Ruff, Stanley, Suetterlein--15.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.
RULE 36--0.

The amendment was rejected.

Senator Ruff offered the following amendment to the substitute:

1. Line 81, floor substitute, after **That**
insert

the Department of Elections shall complete the voter list maintenance program required pursuant to § 24.2-428 of the Code of Virginia, and the Commissioner of Elections shall certify to the Chairmen of the House and Senate Committees on Privileges and Elections, the Senate Committee on Finance and Appropriations, and the House Committee on Appropriations that such program has been completed, prior to undertaking any of the activities required pursuant to this act.

3. That

On motion of Senator Ruff, the reading of the amendment was waived.

Senator Ruff moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--15. NAYS--21. RULE 36--0.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Peake, Pillion, Ruff, Stanley, Suetterlein--15.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

RULE 36--0.

The amendment was rejected.

On motion of Senator Howell, the bill was ordered to be engrossed and read by title the third time.

SENATE BILL ON FIRST READING

S.B. 5109 (five thousand one hundred nine) was read by title the first time.

COMMENDING RESOLUTIONS

On motion of Senator Saslaw, the questions on agreeing to the Senate resolutions that follow were considered en bloc.

On motion of Senator Saslaw, the following Senate resolutions were taken up, ordered to be engrossed, and agreed to en bloc:

S.R. 521 (five hundred twenty-one).

S.R. 526 (five hundred twenty-six).

S.R. 527 (five hundred twenty-seven).

SENATE BILLS ON SECOND READING

S.B. 5095 (five thousand ninety-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 32.1-42.2, relating to rapid diagnostic testing; essential workers; emergency.

The reading of the substitute was waived.

Senator Dunnavant moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Dunnavant offered an amendment in the nature of a substitute No. 1, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 32.1-42.2, relating to rapid diagnostic testing; essential workers; emergency.

Senator Dunnavant withdrew substitute No. 1.

Senator Dunnavant offered an amendment in the nature of a substitute No. 2, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 32.1-42.2, relating to rapid diagnostic testing; essential workers; emergency.

On motion of Senator Dunnavant, the reading of the substitute was waived.

On motion of Senator Dunnavant, substitute No. 2 was agreed to.

On motion of Senator Dunnavant, the bill was ordered to be engrossed and read by title the third time.

S.B. 5029 (five thousand twenty-nine) was taken up and read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-1003, 46.2-1013, 46.2-1049, 46.2-1052, 46.2-1053, and 46.2-1054 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic infractions.

The reading of the substitute was waived.

On motion of Senator Lucas, the substitute was agreed to.

On motion of Senator Lucas, the bill was ordered to be engrossed and read by title the third time.

SUPPLEMENTAL CALENDAR NO. 1

SENATE BILLS ON FIRST READING

S.B. 5082 (five thousand eighty-two) was read by title the first time.

S.B. 5067 (five thousand sixty-seven) was read by title the first time.

S.B. 5107 (five thousand one hundred seven) was read by title the first time.

On motion of Senator McDougle, a leave of absence for the day was granted Senator Obenshain on account of pressing personal business.

On motion of Senator Stanley, a leave of absence for the day was granted Senators Reeves and Vogel on account of pressing personal business.

On motion of Senator Norment, a leave of absence for the day was granted Senator Stuart on account of pressing personal business.

On motion of Senator Lucas, the Senate adjourned until tomorrow at 10:00 a.m. The Clerk was ordered to receive the committee report.

COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Barker from the Committee on General Laws and Technology:

S.B. 5012 (five thousand twelve) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5031 (five thousand thirty-one).

S.B. 5039 (five thousand thirty-nine) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5051 (five thousand fifty-one) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

S.B. 5012, **S.B. 5039**, and **S.B. 5051** were rereferred to the Committee on Finance and Appropriations.



Justin E. Fairfax
President of the Senate



Susan Clarke Schaar
Clerk of the Senate

FRIDAY, AUGUST 28, 2020

The Senate met at 10:00 a.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Ghazala F. Hashmi, Tenth Senatorial District, offered the following prayer:

Bismillah-ir-Rahman-ir-Rahim

In the name of our Creator, the Most Gracious, the Most Merciful,

God is the light

of the heavens and of the earth.

His light is like a niche that houses a lamp;

the lamp is held safe inside a crystal,

which shines as if it is a pearl, a radiant star,

lit from the oil of a blessed olive tree

that is neither of the east nor of the west.

The oil itself is illuminous, though no fire touches it.

Light upon light.

God guides to His light whom He wills.

God provides parables for all people

To reveal truth to those who seek it and

To conceal the truth from those who are indifferent

God has full knowledge of all things.

May our divine Creator grant us light, grant us compassion, grant us mercy and grace

That we may seek truth through these times. Aameen.

The Pledge of Allegiance to the Flag of the United States of America was led by Linda Wettstone, Senior Systems Analyst, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Stanley, Surovell, Vogel.

A quorum was present.

After the roll call, Senators Dunnivant, Spruill, and Suetterlein notified the Clerk of their presence.

On motion of Senator Edwards, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--28. NAYS--5. RULE 36--0.

YEAS--Bell, Boysko, Chafin, Chase, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Peake, Pillion, Ruff, Saslaw, Spruill, Surovell, Vogel--28.

NAYS--Cosgrove, Deeds, DeSteph, Petersen, Stanley--5.

RULE 36--0.

CALENDAR

SENATE BILLS ON THIRD READING

S.B. 5047 (five thousand forty-seven), on motion of Senator Norment, was passed by for the day.

Senator Saslaw moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

S.B. 5095 (five thousand ninety-five).

S.B. 5041 (five thousand forty-one).

S.B. 5052 (five thousand fifty-two).

S.B. 5096 (five thousand ninety-six).

The motion was agreed to.

Senator Saslaw moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Saslaw, the following Senate bills were passed en bloc with their titles:

S.B. 5095 (five thousand ninety-five).

S.B. 5041 (five thousand forty-one).

S.B. 5052 (five thousand fifty-two).

S.B. 5096 (five thousand ninety-six).

The recorded vote is as follows:

YEAS--35. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Surovell, Vogel--35.

NAYS--0.

RULE 36--0.

S.B. 5042 (five thousand forty-two) was read by title the third time and, on motion of Senator Kiggans, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell, Vogel--36.

NAYS--0.

RULE 36--0.

S.B. 5013 (five thousand thirteen) was read by title the third time and, on motion of Senator Stanley, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--7. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Peake, Petersen, Pillion, Saslaw, Spruill, Stanley, Suetterlein, Surovell--29.

NAYS--Chase, DeSteph, Hanger, McDougle, Newman, Ruff, Vogel--7.

RULE 36--0.

S.B. 5029 (five thousand twenty-nine) was read by title the third time and, on motion of Senator Lucas, was passed with its title.

The recorded vote is as follows:

YEAS--22. NAYS--14. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--22.

NAYS--Chase, Cosgrove, DeSteph, Hanger, Kiggans, McDougle, Newman, Norment, Peake, Pillion, Ruff, Stanley, Suetterlein, Vogel--14.

RULE 36--0.

S.B. 5033 (five thousand thirty-three) was read by title the third time and, on motion of Senator Surovell, was passed with its title.

The recorded vote is as follows:

YEAS--30. NAYS--6. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Peake, Petersen, Pillion, Saslaw, Spruill, Stanley, Suetterlein, Surovell, Vogel--30.

NAYS--Chase, Cosgrove, DeSteph, McDougle, Newman, Ruff--6.

RULE 36--0.

RECONSIDERATION

Senator Lucas moved to reconsider the vote by which **S.B. 5029** (five thousand twenty-nine) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--33. NAYS--3. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell, Vogel--33.

NAYS--Chase, Cosgrove, Newman--3.

RULE 36--0.

STATEMENT ON VOTE

Senator Newman stated that he voted nay on the question of the reconsideration of the passage of **S.B. 5029**, whereas he intended to vote yea.

S.B. 5029, on motion of Senator Lucas, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--15. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Hanger, Kiggans, McDougle, Newman, Norment, Peake, Pillion, Ruff, Stanley, Suetterlein, Vogel--15.

RULE 36--0.

S.B. 5106 (five thousand one hundred six) was read by title the third time and, on motion of Senator Lewis, was passed with its title.

The recorded vote is as follows:

YEAS--32. NAYS--4. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell--32.

NAYS--Chase, McDougle, Newman, Vogel--4.

RULE 36--0.

S.B. 5120 (five thousand one hundred twenty) was read by title the third time and, on motion of Senator Howell, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Peake, Pillion, Ruff, Stanley, Suetterlein, Vogel--16.

RULE 36--0.

SENATE BILLS ON SECOND READING

S.B. 5082 (five thousand eighty-two) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 8.01-225.03, relating to certain hospices, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability; COVID-19; emergency.

The reading of the substitute was waived.

On motion of Senator Marsden, the substitute was agreed to.

S.B. 5082, on motion of Senator Marsden, was passed by for the day.

S.B. 5109 (five thousand one hundred nine), on motion of Senator Chafin, was passed by for the day.

S.B. 5003 (five thousand three), on motion of Senator Newman, was passed by for the day.

S.B. 5025 (five thousand twenty-five), on motion of Senator Newman, was passed by for the day.

S.B. 5050 (five thousand fifty) was read by title the second time.

The following amendments proposed by the Committee on Rehabilitation and Social Services were offered:

1. Line 4, introduced, Title, after *Virginia*
strike
the remainder of line 4 and through *Virginia* on line 5
2. Line 135, introduced
strike
all of line 135

The reading of the amendments was waived.

On motion of Senator Stanley, the amendments were agreed to.

Senator Stanley moved that **S.B. 5050** be ordered to be engrossed and read by title the third time.

Senator Favola moved, as a substitute motion, that **S.B. 5050** be rereferred to the Committee on Finance and Appropriations.

Senator Favola withdrew the motion.

S.B. 5050, on motion of Senator Surovell, was passed by temporarily.

S.B. 5067 (five thousand sixty-seven), on motion of Senator Saslaw, was passed by for the day.

S.B. 5107 (five thousand one hundred seven) was read by title the second time.

The following amendment proposed by the Committee on Commerce and Labor was offered:

1. Line 15, introduced, after program
strike
by
insert
not later than

The reading of the amendment was waived.

On motion of Senator McPike, the amendment was agreed to.

On motion of Senator McPike, the bill was ordered to be engrossed and read by title the third time.

SENATE BILL ON FIRST READING

S.B. 5031 (five thousand thirty-one) was read by title the first time.

SENATE BILLS ON SECOND READING

S.B. 5050 (five thousand fifty) was taken up.

RECONSIDERATION

Senator Favola moved to reconsider the vote by which the committee amendments to **S.B. 5050** (five thousand fifty) were agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell, Vogel--36.

NAYS--0.

RULE 36--0.

Senator Favola moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were rejected.

S.B. 5050, on motion of Senator Favola, was passed by for the day.

RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 5082** (five thousand eighty-two) was passed by for the day.

The motion was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell, Vogel--37.

NAYS--0.

RULE 36--0.

RECONSIDERATION

Senator Norment moved to reconsider the vote by which the committee substitute to **S.B. 5082** (five thousand eighty-two) was agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell, Vogel--37.

NAYS--0.

RULE 36--0.

S.B. 5082, on motion of Senator Norment, was passed by for the day.

On motion of Senator McDougle, a leave of absence for the day was granted Senator Obenshain on account of pressing personal business.

On motion of Senator Stanley, a leave of absence for the day was granted Senator Reeves on account of pressing personal business.

On motion of Senator Norment, a leave of absence for the day was granted Senator Stuart on account of pressing personal business.

Pursuant to the provisions of Senate Rule 2 (c), the President pro tempore named Senator Jennifer L. McClellan to perform the duties of the Presiding Officer in her absence on Monday, August 31, 2020.

HONORARY ADJOURNMENT

Senator Morrissey addressed the Senate in memory of Emmett Till.

Senator Morrissey requested that when the Senate adjourns today, it adjourn in memory of Emmett Till.

On motion of Senator Lucas, the Senate, in memory of Emmett Till, adjourned until Monday, August 31, 2020, at 4:00 p.m. The Clerk was ordered to receive the committee reports.

COMMITTEE REPORTS

The following bill, having been considered by the committee in session, was reported by Senator Saslaw from the Committee on Commerce and Labor:

S.B. 5118 (five thousand one hundred eighteen) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

The following bill, having been considered by the committee in session, was reported by Senator Barker from the Committee on General Laws and Technology on August 31, 2020:

S.B. 5117 (five thousand one hundred seventeen).

S.B. 5118 was rereferred to the Committee on Finance and Appropriations.

A handwritten signature in cursive script, appearing to read "J. E. Fairfax".

Justin E. Fairfax
President of the Senate

A handwritten signature in cursive script, appearing to read "Susan Clarke Schaar".

Susan Clarke Schaar
Clerk of the Senate

MONDAY, AUGUST 31, 2020

The Senate met at 4:00 p.m. and was called to order by the Acting President pro tempore, Senator Jennifer L. McClellan.

The Senate observed a moment of silent prayer.

The Pledge of Allegiance to the Flag of the United States of America was led by Joanna Bolstad, Journal Clerk, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

McClellan, McDougle.

Two Senators were present.

On motion of Senator McDougle, the reading of the Journal was waived.

The recorded vote is as follows:
YEAS--2. NAYS--0. RULE 36--0.

YEAS--McClellan, McDougle--2.
NAYS--0.
RULE 36--0.

On motion of Senator McDougle, the Senate adjourned until Wednesday, September 2, 2020, at 10:00 a.m.



Jennifer L. McClellan
Acting President pro tempore of the Senate



Susan Clarke Schaar
Clerk of the Senate

WEDNESDAY, SEPTEMBER 2, 2020

The Senate met at 10:00 a.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Emmett W. Hanger, Jr., Twenty-fourth Senatorial District, offered the following prayer:

A couple of thoughts from Proverbs before I conduct the prayer. Proverbs 3, verses 5 and 6 are one of my favorite pieces of scripture. "Trust in the Lord with all your heart and lean not into your own understanding and in all your ways acknowledge Him and He will direct our paths." Proverbs speaks a lot to wisdom and foolishness and one of the areas that is one of my favorite thoughts, which we cannot always abide with here in the Senate because of the nature of our work is, and I paraphrase: You should never engage in debate or argument with a fool because someone passing by will not be able to discern which one is the fool.

Let us pray. Dear Lord, as we gather here today to conduct the business of the Senate on behalf of our constituents throughout Virginia, we pray that Your Spirit will be with us. That we will think long and hard about what we do and the impact that we have here in our deliberations and decisions on the people of the Commonwealth. We thank You, dear Lord, for both the honor and responsibility that has been given to us to represent the people of the Commonwealth, and we pray that we will take that seriously and that we will act with wisdom in the decisions we make. We also pray, dear Lord, that the friendships we enjoy in this body will not deteriorate even though we have sometimes vastly different ideas about the direction that we want to take the Commonwealth and engage in spirited debate and lots of things that are left undecided. Dear Lord, we pray that You will be with us. Your Spirit will be amongst us. Our friendships will persevere and we will do the work of the Commonwealth to the best of our ability. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Palmer Sturman, Applications Analyst/Programmer, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell.

A quorum was present.

After the roll call, Senators DeSteph, Suetterlein, and Vogel notified the Clerk of their presence.

On motion of Senator Ruff, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--29. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Peake, Reeves, Ruff, Saslaw, Spruill, Stuart, Surovell--29.

NAYS--Cosgrove, Deeds, McDougle, Petersen, Stanley--5.

RULE 36--0.

HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates

August 28, 2020

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

H.B. 5041. A BILL to amend and reenact §§ 32.1-127 and 32.1-162.5 of the Code of Virginia, relating to State Board of Health; public health emergency; patient visitation; notice to family; emergency.

EMERGENCY

H.B. 5046. A BILL to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.

H.B. 5048. A BILL to amend the Code of Virginia by adding a section numbered 32.1-37.01, relating to outbreaks of communicable disease of public health threat; posting of information.

EMERGENCY

H.B. 5052. A BILL to amend and reenact § 2.2-3300 of the Code of Virginia, relating to legal holidays; Juneteenth.

H.B. 5064. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

H.B. 5103. A BILL to amend and reenact Chapter 1289 of the Acts of Assembly of 2020, which appropriates the public revenues for two years ending, respectively, on June 30, 2021, and June 30, 2022, by adding an item numbered 86.10, relating to the general appropriation act; appropriation of funds for the Department of Elections.

H.B. 5115. A BILL to provide civil relief to citizens furloughed or otherwise receiving reduced wages or payments due to the state of emergency declared by the Governor in response to the COVID-19 pandemic.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow

Clerk of the House of Delegates

Senator Saslaw moved that the Rules be suspended and the reading of the communication from the House of Delegates be waived.

The question was put on suspending the Rules and waiving the reading of the communication from the House of Delegates.

The motion was rejected, having failed to receive the necessary affirmative votes required by Article IV, Section 11, of the Constitution.

The recorded vote is as follows:

YEAS--22. NAYS--13. RULE 36--0.

YEAS--Barker, Bell, Ebbin, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Newman, Norment, Peake, Ruff, Saslaw, Stuart, Surovell--22.

NAYS--Boysko, Chafin, Chase, Cosgrove, Deeds, Edwards, McDougale, Morrissey, Petersen, Reeves, Spruill, Stanley, Suetterlein--13.

RULE 36--0.

RECONSIDERATION

Senator Cosgrove moved to reconsider the vote by which the motion that the Rules be suspended and the reading of the communication from the House of Delegates be waived was rejected.

The motion was agreed to.

The recorded vote is as follows:

YEAS--34. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell--34.

NAYS--0.

RULE 36--0.

Senator Saslaw moved that the Rules be suspended and the reading of the communication from the House of Delegates be waived.

The question was put on suspending the Rules and waiving the reading of the communication from the House of Delegates.

The motion was rejected, having failed to receive the necessary affirmative votes required by Article IV, Section 11, of the Constitution.

The recorded vote is as follows:

YEAS--25. NAYS--8. RULE 36--0.

YEAS--Barker, Bell, Chase, Cosgrove, Ebbin, Edwards, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Newman, Norment, Reeves, Ruff, Saslaw, Spruill, Stuart, Surovell--25.

NAYS--Boysko, Chafin, Deeds, Favola, McDougale, Morrissey, Peake, Stanley--8.

RULE 36--0.

The Clerk read the communication from the House of Delegates.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been read, were referred as follows:

H.B. 5041, H.B. 5046, and H.B. 5048 were referred to the Committee on Education and Health.

H.B. 5052 and H.B. 5064 were referred to the Committee on General Laws and Technology.

H.B. 5103 was referred to the Committee on Finance and Appropriations.

H.B. 5115 was referred to the Committee on Commerce and Labor.

INTRODUCTION OF LEGISLATION

The following, by leave, was presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 532. Celebrating the life of the Honorable John Henry Hager.

Patron--Norment

IMMEDIATE CONSIDERATION

Senator Chase moved that the Rules be suspended, the Committee on Education and Health be discharged from further consideration of **S.B. 5020** (five thousand twenty) and **S.B. 5021** (five thousand twenty-one), and the bills be taken up for immediate consideration.

RECESS

At 10:35 a.m., Senator Norment moved that the Senate recess until 11:05 a.m.

The motion was agreed to.

The hour of 11:05 a.m. having arrived, the Chair was resumed.

IMMEDIATE CONSIDERATION

Senator Chase moved that the Rules be suspended, the Committee on Education and Health be discharged from further consideration of **S.B. 5020** (five thousand twenty) and **S.B. 5021** (five thousand twenty-one), and the bills be taken up for immediate consideration.

Senator Chase withdrew the motion.

CALENDAR

SENATE BILLS ON THIRD READING

S.B. 5047 (five thousand forty-seven) was read by title the third time and, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--37.

NAYS--0.

RULE 36--0.

S.B. 5107 (five thousand one hundred seven) was read by title the third time and, on motion of Senator McPike, was passed with its title.

The recorded vote is as follows:

YEAS--32. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--32.

NAYS--Chase, DeSteph, Hanger, Peake, Suetterlein--5.

RULE 36--0.

RECONSIDERATION

Senator Mason moved to reconsider the vote by which **S.B. 5107** (five thousand one hundred seven) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--37.

NAYS--0.

RULE 36--0.

S.B. 5107, on motion of Senator McPike, was passed with its title.

The recorded vote is as follows:

YEAS--34. NAYS--3. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--34.

NAYS--Chase, DeSteph, Hanger--3.

RULE 36--0.

SENATE BILLS ON SECOND READING

S.B. 5082 (five thousand eighty-two) was taken up, the committee substitute having been offered on August 28, 2020.

On motion of Senator Marsden, the substitute was agreed to.

On motion of Senator Marsden, the bill was ordered to be engrossed and read by title the third time.

S.B. 5109 (five thousand one hundred nine) was read by title the second time.

Senator Chafin offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 32.1-45.5, relating to Commissioner of Health; nursing home and assisted living facility employees and residents; priority for testing; COVID-19 pandemic.

On motion of Senator Chafin, the reading of the substitute was waived.

On motion of Senator Chafin, the substitute was agreed to.

On motion of Senator Chafin, the bill was ordered to be engrossed and read by title the third time.

S.B. 5031 (five thousand thirty-one) was read by title the second time and, on motion of Senator Locke, was ordered to be engrossed and read by title the third time.

S.B. 5003 (five thousand three) was read by title the second time.

Senator Petersen offered the following amendments:

1. Line 22, introduced
strike

Four

insert

Three

2. Line 23, introduced
strike

Four

insert

Three

3. Line 33, introduced, after *NAACP*

insert

and representatives of at least two other minority groups

4. Line 33, introduced, after *NAACP*

insert

and representatives of at least two other minority groups, one of whom shall be appointed by the Speaker of the House of Delegates, and one of whom shall be appointed by the Senate Committee on Rules

On motion of Senator Petersen, the reading of the amendments was waived.

On motion of Senator Petersen, amendments Nos. 1 and 2 were agreed to.

Senator Petersen withdrew amendment No. 3.

On motion of Senator Petersen, amendment No. 4 was agreed to.

On motion of Senator Stuart, the bill was ordered to be engrossed and read by title the third time.

S.B. 5025 (five thousand twenty-five), on motion of Senator Newman, was passed by for the day.

S.B. 5050 (five thousand fifty), on motion of Senator Norment, was passed by for the day.

S.B. 5067 (five thousand sixty-seven) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to provide immunity from civil claims related to the transmission of or exposure to the COVID-19 virus; emergency.

Senator Dunnivant offered the following amendments to the substitute:

1. Line 13, substitute, after *locality*;

strike

and

2. Line 13, substitute, after *(iii)*

insert

public and private institutions of higher education, and any employee of either such institution; (iv) local school boards and the governing boards or administrators of private elementary or secondary schools; and (v)

Senator Petersen offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to provide immunity from civil claims related to the transmission of or exposure to the COVID-19 virus; emergency.

S.B. 5067, on motion of Senator Saslaw, was stricken from the Calendar.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--37.

NAYS--0.

RULE 36--0.

SENATE BILL ON FIRST READING

S.B. 5117 (five thousand one hundred seventeen) was read by title the first time.

MEMORIAL RESOLUTIONS

On motion of Senator Saslaw, the questions on agreeing to the Senate resolutions that follow were considered en bloc.

On motion of Senator Saslaw, the following Senate resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

S.R. 528 (five hundred twenty-eight).

S.R. 529 (five hundred twenty-nine).

S.R. 530 (five hundred thirty).

S.R. 531 (five hundred thirty-one).

On motion of Senator McDougle, a leave of absence for the day was granted Senators Dunnavant and Obenshain on account of pressing personal business.

On motion of Senator Chafin, a leave of absence for the day was granted Senator Pillion on account of pressing personal business.

HONORARY ADJOURNMENTS

Senator Cosgrove addressed the Senate in memory of Allied forces who fought in World War II.

Senator Cosgrove requested that when the Senate adjourns today, it adjourn in memory of Allied forces who fought in World War II.

Senator Chafin addressed the Senate in memory of Emory Ralph Altizer.

Senator Chafin requested that when the Senate adjourns today, it adjourn in memory of Emory Ralph Altizer.

On motion of Senator Lucas, the Senate, in memory of Allied forces who fought in World War II and Emory Ralph Altizer, adjourned until tomorrow at 10:00 a.m. The Clerk was ordered to receive the committee report.

COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Howell from the Committee on Finance and Appropriations:

H.B. 5103 (five thousand one hundred three).

S.B. 5012 (five thousand twelve).

S.B. 5039 (five thousand thirty-nine) with amendment.

S.B. 5116 (five thousand one hundred sixteen).

A handwritten signature in black ink, appearing to read "J. Fairfax". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is cursive and elegant, with the first letter of each word being capitalized and prominent.

Susan Clarke Schaar
Clerk of the Senate

THURSDAY, SEPTEMBER 3, 2020

The Senate met at 10:00 a.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Jeremy S. McPike, Twenty-ninth Senatorial District, offered the following prayer:

The Word that was made flesh and dwelt amongst us and as representatives, our trade is in words.

Words can be stones, stones can injure and destroy. Stones are used to build walls, and walls can protect, but they also divide. A house divided against itself cannot stand.

Is it time to throw away stones? Or use them to build a bridge of understanding?

Lord, You are the Word. Send us a word that will heal, bring us a word that will unite, take away our hearts of stone, and give us hearts of flesh. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Tara H. Perkinson, Chief Deputy Clerk, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell.

A quorum was present.

After the roll call, Senator Vogel notified the Clerk of her presence.

On motion of Senator Newman, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--31. NAYS--4. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Peake, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--31.

NAYS--Deeds, DeSteph, McDougle, Petersen--4.

RULE 36--0.

INTRODUCTION OF LEGISLATION

The following, by leave, was presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 533. Commending Anna Leider.

Patron--Ebbin

RECESS

At 10:15 a.m., Senator Norment moved that the Senate recess until 10:40 a.m.

The motion was agreed to.

The hour of 10:40 a.m. having arrived, the Chair was resumed.

CALENDAR

SENATE BILLS ON THIRD READING

S.B. 5082 (five thousand eighty-two) was read by title the third time and, on motion of Senator Marsden, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

NAYS--0.

RULE 36--0.

S.B. 5109 (five thousand one hundred nine) was read by title the third time and, on motion of Senator Chafin, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

NAYS--0.

RULE 36--0.

S.B. 5031 (five thousand thirty-one) was read by title the third time.

Senator Saslaw moved that **S.B. 5031** be passed with its title.

S.B. 5031, on motion of Senator Lucas, was passed by for the day.

S.B. 5003 (five thousand three) was read by title the third time and, on motion of Senator Stuart, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--7. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Petersen, Reeves, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--29.

NAYS--Chase, DeSteph, McDougle, Newman, Peake, Ruff, Suetterlein--7.

RULE 36--0.

HOUSE BILL ON SECOND READING

H.B. 5103 (five thousand one hundred three) was read by title the second time.

SENATE BILLS ON SECOND READING

S.B. 5025 (five thousand twenty-five), on motion of Senator Newman, was passed by for the day.

S.B. 5050 (five thousand fifty), on motion of Senator Favola, was passed by for the day.

S.B. 5117 (five thousand one hundred seventeen) was read by title the second time and, on motion of Senator Deeds, was ordered to be engrossed and read by title the third time.

SENATE BILLS ON FIRST READING

S.B. 5039 (five thousand thirty-nine) was read by title the first time.

S.B. 5116 (five thousand one hundred sixteen) was read by title the first time.

S.B. 5012 (five thousand twelve) was read by title the first time.

MEMORIAL RESOLUTION

S.R. 532 (five hundred thirty-two), on motion of Senator Norment, was passed by for the day.

On motion of Senator Suetterlein, a leave of absence for the day was granted Senator Dunnivant on account of pressing personal business.

On motion of Senator Lucas, a leave of absence for the day was granted Senator Locke on account of pressing personal business.

On motion of Senator McDougale, a leave of absence for the day was granted Senator Obenshain on account of pressing personal business.

On motion of Senator Chafin, a leave of absence for the day was granted Senator Pillion on account of pressing personal business.

On motion of Senator Lucas, the Senate adjourned until tomorrow at 12 m. The Clerk was ordered to receive the committee report.

COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Howell from the Committee on Finance and Appropriations:

S.B. 5007 (five thousand seven) with substitute.

S.B. 5017 (five thousand seventeen).

S.B. 5018 (five thousand eighteen) with substitute.

S.B. 5024 (five thousand twenty-four).

S.B. 5030 (five thousand thirty) with substitute.

S.B. 5035 (five thousand thirty-five) with substitute.

S.B. 5043 (five thousand forty-three) with substitute.
S.B. 5053 (five thousand fifty-three).

A handwritten signature in black ink, appearing to read "J. Fairfax". The signature is fluid and cursive, with the first letter of each word being significantly larger and more stylized.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with the first letter of each word being significantly larger and more ornate.

Susan Clarke Schaar
Clerk of the Senate

FRIDAY, SEPTEMBER 4, 2020

The Senate met at 12 m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Stephen D. Newman, Twenty-third Senatorial District, offered the following prayer:

Good morning, Lord. We are pleased to come before You today and thank You for the opportunity to be in this place. Today we come to You with three asks: one, that You give us wisdom; two, protection; and we want to give thanks. Lord, James 1:5 says that if anyone asks for wisdom, it will be given to them generously, and today I ask for wisdom for our Senate leadership; for Senators Lucas and Saslaw and Norment and Locke and others. I ask that You will give wisdom to our Lieutenant Governor as he leads us; for Susan and Tara and others as they take care of the functions of the Senate. Finally, I ask that you give wisdom to all of us as we attempt to lead Virginia. Lord, we also ask for Your protection. We ask for Your protection from this dangerous virus. We ask for Your protection for the elderly, those in nursing homes and assisted living facilities that this has hit so hard. Lord, this is a big virus and You are a bigger God. Lord, we also come to You today to give You thanks. Thank You for bringing Mark and Bryce and George back to us healthy. Thank You for loving us and thank You for caring for us. So God, today we pause and ask for wisdom and protection and to give You thanks. We ask all this in Jesus' name. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Michael Adams, Director of Human Resources, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell.

A quorum was present.

After the roll call, Senator Vogel notified the Clerk of her presence.

On motion of Senator Peake, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--33. NAYS--4. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell--33.

NAYS--Deeds, DeSteph, McDougale, Stanley--4.

RULE 36--0.

HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates
September 3, 2020

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

H.B. 5047. A BILL to amend and reenact §§ 59.1-526 and 59.1-527 of the Code of Virginia, relating to the Virginia Post-Disaster Anti-Price Gouging Act; manufacturers and distributors.

H.B. 5055. A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight body.

H.B. 5093. A BILL to amend and reenact § 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of the Governor; executive orders; penalty.

H.B. 5106. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to landlord and tenant, noncompliance with rental agreement; prohibition on using negative credit information arising from the COVID-19 pandemic against tenants or applicants for tenancy; penalty; emergency.

H.B. 5108. A BILL to amend and reenact §§ 9.1-108 and 9.1-112 of the Code of Virginia, relating to the Criminal Justice Services Board; Committee on Training; membership and responsibilities.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

On motion of Senator Saslaw, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--34. NAYS--3. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--34.

NAYS--Deeds, DeSteph, Peake--3.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

H.B. 5047 was referred to the Committee on Commerce and Labor.

H.B. 5055 and **H.B. 5108** were referred to the Committee on the Judiciary.

H.B. 5093 and **H.B. 5106** were referred to the Committee on General Laws and Technology.

INTRODUCTION OF LEGISLATION

The following, by leave, was presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 534. Celebrating the life of Bishop Gerald O. Glenn.

Patron--Morrissey

RECESS

At 12:15 p.m., Senator Norment moved that the Senate recess until 12:45 p.m.

The motion was agreed to.

The hour of 12:45 p.m. having arrived, the Chair was resumed.

CALENDAR

HOUSE BILL ON THIRD READING

H.B. 5103 (five thousand one hundred three), on motion of Senator Howell, was passed by for the day.

SENATE BILLS ON THIRD READING

S.B. 5031 (five thousand thirty-one) was taken up and, on motion of Senator Locke, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--0.

RULE 36--0.

S.B. 5117 (five thousand one hundred seventeen) was read by title the third time and, on motion of Senator Deeds, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Saslaw, Spruill, Stuart, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Suetterlein, Vogel--17.

RULE 36--0.

SENATE BILLS ON SECOND READING

S.B. 5039 (five thousand thirty-nine) was read by title the second time.

The following amendment proposed by the Committee on Finance and Appropriations was offered:

1. Line 213, introduced, after *shall*
strike

the remainder of line 213, all of line 214, and through *PPE*. on line 215

insert

, prior to making any purchase pursuant to this subdivision, ensure that the cost will be reimbursed or otherwise funded by the federal government, a private entity, or a combination thereof. If part of the cost is to be funded by a private entity, the Governor shall not make such purchase until such entity has entered into a contractual agreement to reimburse the Commonwealth. The terms of such agreement may include, in addition to the purchase price, fees for procurement, distribution, and any other costs the Governor determines to be appropriate.

The reading of the amendment was waived.

On motion of Senator Marsden, the amendment was agreed to.

On motion of Senator Marsden, the bill was ordered to be engrossed and read by title the third time.

S.B. 5116 (five thousand one hundred sixteen) was read by title the second time and, on motion of Senator McDougle, was ordered to be engrossed and read by title the third time.

S.B. 5025 (five thousand twenty-five), on motion of Senator Newman, was passed by for the day.

S.B. 5050 (five thousand fifty) was taken up, the committee amendments having been rejected on August 28, 2020.

Senator Surovell offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 53.1-136 and 53.1-155 of the Code of Virginia, relating to parole; notice and certification; monthly reports; discretionary early consideration.

On motion of Senator Surovell, the reading of the substitute was waived.

Senator Surovell moved that the substitute be agreed to.

The question was put on agreeing to the substitute.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--20. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Saslaw, Spruill, Surovell--20.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--18.

RULE 36--0.

The substitute was agreed to.

S.B. 5050, on motion of Senator Obenshain, was passed by temporarily.

S.B. 5012 (five thousand twelve) was read by title the second time and, on motion of Senator Suetterlein, was ordered to be engrossed and read by title the third time.

SENATE BILLS ON FIRST READING

Senator Saslaw moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

S.B. 5043 (five thousand forty-three).
S.B. 5007 (five thousand seven).
S.B. 5017 (five thousand seventeen).
S.B. 5018 (five thousand eighteen).
S.B. 5024 (five thousand twenty-four).
S.B. 5030 (five thousand thirty).
S.B. 5035 (five thousand thirty-five).
S.B. 5053 (five thousand fifty-three).

The motion was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--37.

NAYS--0.

RULE 36--0.

On motion of Senator Saslaw, the following Senate bills were passed by for the day:

S.B. 5043 (five thousand forty-three).
S.B. 5007 (five thousand seven).
S.B. 5017 (five thousand seventeen).
S.B. 5018 (five thousand eighteen).
S.B. 5024 (five thousand twenty-four).
S.B. 5030 (five thousand thirty).
S.B. 5035 (five thousand thirty-five).
S.B. 5053 (five thousand fifty-three).

MEMORIAL RESOLUTION

S.R. 532 (five hundred thirty-two), on motion of Senator Norment, was passed by for the day.

COMMENDING RESOLUTION

S.R. 533 (five hundred thirty-three), on motion of Senator Ebbin, was ordered to be engrossed and was agreed to.

SENATE BILL ON SECOND READING

S.B. 5050 (five thousand fifty) was taken up.

Senator Obenshain offered the following amendment to the substitute:

1. Line 23, substitute, after *electronic*
strike
or
insert
and

On motion of Senator Obenshain, the reading of the amendment was waived.

On motion of Senator Obenshain, the amendment was agreed to.

On motion of Senator Obenshain, the bill was ordered to be engrossed and read by title the third time.

LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bill that had been passed by both houses and duly enrolled:

September 4, 2020

S.B. 5120. An Act to amend and reenact Chapter 1289 of the Acts of Assembly of 2020, which appropriates the public revenues for two years ending, respectively, on June 30, 2021, and June 30, 2022, by adding an item numbered 86.10, relating to the general appropriation act; appropriation of funds for the Department of Elections.

HONORARY ADJOURNMENT

Senator Suetterlein addressed the Senate in memory of former Lieutenant Governor Henry E. Howell, Jr.

Senator Suetterlein requested that when the Senate adjourns, it adjourn in memory of former Lieutenant Governor Henry E. Howell, Jr.

On motion of Senator Ebbin, a leave of absence for the day was granted Senator Petersen on account of pressing personal business.

On motion of Senator Chafin, a leave of absence for the day was granted Senator Pillion on account of pressing personal business.

Pursuant to the provisions of Senate Rule 2 (c), the President pro tempore named Senator Jennifer L. McClellan to perform the duties of the Presiding Officer in her absence on Tuesday, September 8, 2020.

RECESS

At 2:20 p.m., Senator Saslaw moved that the Senate recess until Tuesday, September 8, 2020, at 10:00 a.m.

The motion was agreed to.

The hour of 10:00 a.m. on Tuesday, September 8, 2020, having arrived, the Chair was resumed, the Acting President pro tempore, Senator Jennifer L. McClellan, presiding.

On motion of Senator McDougle, the Senate, in memory of former Lieutenant Governor Henry E. Howell, Jr., adjourned until Wednesday, September 9, 2020, at 12 m.

A handwritten signature in black ink, appearing to read "J. E. Fairfax". The signature is fluid and cursive, with the first and last letters of each name being capitalized and prominent.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with the first and last letters of each name being capitalized and prominent.

Susan Clarke Schaar
Clerk of the Senate

WEDNESDAY, SEPTEMBER 9, 2020

The Senate met at 12 m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable J. Chapman Petersen, Thirty-fourth Senatorial District, offered the following prayer:

I have a reading from the book of Isaiah, Chapter 61 “The Spirit of the Lord is upon me because He has anointed me to bring good news to the poor. He has sent me to heal the broken hearted, to proclaim liberty to the captives, and freedom to the prisoners. To proclaim the year of the Lord’s favor and the day of our God’s vengeance to comfort all who mourn. To provide for those who mourn in Zion. To give them a crown of beauty instead of ashes, festive oil instead of mourning, and splendid clothes instead of despair. They will rebuild the ancient ruins, they will restore the former devastations, they will renew the ruined cities, the devastation of many generations. Strangers will stand and feed your flocks but you will be called the Lord’s priests. They will speak of you as ministers of God and you will boast in their riches. In place of shame you will have a double portion. You will rejoice over the share. You will possess the land and eternal joy will be yours.” Lord, I thank You for bringing us together in this house of science, in this house of faith. Thank You for bringing us together from across this Commonwealth — different backgrounds, different political parties, different perspectives — in seeking Your will to try and find the perfect balance to lead this great Commonwealth and to further the cause of humanity. In Jesus’ name we pray. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Susan Clarke Schaar, Clerk of the Senate.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell.

A quorum was present.

After the roll call, Senator Dunnivant notified the Clerk of her presence.

On motion of Senator Reeves, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--34. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell--34.

NAYS--Deeds, DeSteph, McDougale, Petersen, Stanley--5.

RULE 36--0.

HOUSE COMMUNICATIONS

The following communications were received:

In the House of Delegates
September 4, 2020

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

- H.B. 5028.** A BILL to amend and reenact § 65.2-402.1 of the Code of Virginia, relating to workers' compensation; presumption as to death or disability from COVID-19.
- H.B. 5029.** A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 4 of Title 18.2 a section numbered 18.2-57.5, relating to law-enforcement officer; failure to intervene in use of excessive force; penalties.
- H.B. 5045.** A BILL to amend and reenact § 18.2-64.2 of the Code of Virginia, relating to carnal knowledge of a person in the custody of a law-enforcement officer or an inmate, parolee, probationer, detainee, or pretrial defendant or posttrial offender; local or state law-enforcement officer; penalty.
- H.B. 5050.** A BILL to amend and reenact §§ 2.2-4343 and 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of Governor; purchase of personal protective equipment during a disaster caused by a communicable disease of public health threat.
- H.B. 5051.** A BILL to amend and reenact § 15.2-1707 of the Code of Virginia, relating to decertification of law-enforcement officer.
- H.B. 5058.** A BILL to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, as it is currently effective and as it shall become effective, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic offenses.
- H.B. 5059.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-225.03, relating to certain hospices, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability; COVID-19; emergency.
EMERGENCY
- H.B. 5062.** A BILL to amend and reenact § 19.2-265.6 of the Code of Virginia, relating to dismissal of criminal charges on Commonwealth's motion.
- H.B. 5068.** A BILL to amend and reenact § 8.01-512.4 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 34 a section numbered 34-28.3, relating to state of emergency; emergency relief payments exempt; emergency.
EMERGENCY
- H.B. 5069.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-51.8, relating to law-enforcement officers; prohibition on the use of neck restraints; penalty.
- H.B. 5098.** A BILL to amend and reenact § 18.2-461 of the Code of Virginia, relating to hate crime; falsely summoning or giving false reports to law-enforcement officials; penalty.
- H.B. 5099.** A BILL to amend and reenact § 19.2-56 of the Code of Virginia, relating to search warrants; prohibition on no-knock search warrants.
- H.B. 5104.** A BILL to amend and reenact §§ 15.2-1705 and 15.2-1709 of the Code of Virginia, relating to minimum qualifications for law-enforcement officer, etc.; disclosure of information.

H.B. 5109. A BILL to amend and reenact §§ 9.1-102 and 15.2-1705 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 9.1-112.1, relating to the Department of Criminal Justice Services; law-enforcement officer training and qualifications.

H.B. 5112. A BILL to amend and reenact § 52-30.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 15.2-1704.1 and 15.2-1704.2, relating to law-enforcement officer; duty to render aid; duty to report wrongdoing by another law-enforcement officer; penalty.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

H.J.R. 5010. Confirming various appointments by the Speaker of the House of Delegates.

H.J.R. 5012. Confirming the appointment of Amigo R. Wade as Director of the Division of Legislative Services.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILL:

S.B. 5120. An Act to amend and reenact Chapter 1289 of the Acts of Assembly of 2020, which appropriates the public revenues for two years ending, respectively, on June 30, 2021, and June 30, 2022, by adding an item numbered 86.10, relating to the general appropriation act; appropriation of funds for the Department of Elections.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

In the House of Delegates
September 8, 2020

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

H.B. 5013. A BILL to amend the Code of Virginia by adding sections numbered 8.01-42.6 and 8.01-42.7, relating to civil action for deprivation of rights; duties and liabilities of certain employers in employing or contracting for the services of law-enforcement officers.

H.B. 5030. A BILL to amend and reenact § 15.2-1812 of the Code of Virginia and to repeal the third enactment of Chapter 1100 and the third enactment of Chapter 1101 of the Acts of Assembly of 2020, relating to monuments and memorials for war veterans.

H.B. 5072. A BILL to amend and reenact § 2.2-520 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-511.1, relating to law-enforcement misconduct.

H.B. 5087. A BILL to amend and reenact § 60.2-712 of the Code of Virginia and to repeal the third and fourth enactments of Chapter 1261 of the Acts of Assembly of 2020, relating to unemployment compensation; short-time compensation; sunset repeal; emergency,
EMERGENCY

H.B. 5113. A BILL to amend the Code of Virginia by adding a section numbered 22.1-207.4:1, relating to certain school boards; student meals; participation in the Community Eligibility Provision.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

On motion of Senator Saslaw, the Rules were suspended and the reading of the communications from the House of Delegates was waived.

The recorded vote is as follows:
YEAS--35. NAYS--3. RULE 36--1.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell--35.

NAYS--Deeds, Petersen, Stanley--3.
RULE 36--McDougle--1.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

H.B. 5028 was referred to the Committee on Commerce and Labor.

H.B. 5029, H.B. 5045, H.B. 5051, H.B. 5058, H.B. 5059, H.B. 5062, H.B. 5068, H.B. 5069, H.B. 5098, H.B. 5099, H.B. 5104, H.B. 5109, and H.B. 5112 were referred to the Committee on the Judiciary.

H.B. 5050 was referred to the Committee on General Laws and Technology.

The House joint resolutions, communicated as agreed to by the House of Delegates, the first reading of their titles having been waived, were referred as follows:

H.J.R. 5010 and H.J.R. 5012 were referred to the Committee on Rules.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

H.B. 5013 and H.B. 5072 were referred to the Committee on the Judiciary.

H.B. 5030 was referred to the Committee on Local Government.

H.B. 5087 was referred to the Committee on Commerce and Labor.

H.B. 5113 was referred to the Committee on Education and Health.

COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Howell from the Committee on Finance and Appropriations:

S.B. 5014 (five thousand fourteen) with substitute.
S.B. 5034 (five thousand thirty-four) with substitute.

S.B. 5038 (five thousand thirty-eight) with substitute.

S.B. 5118 (five thousand one hundred eighteen) with amendments.

INTRODUCTION OF LEGISLATION

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 535. Celebrating the life of Howard H. Foust, Jr.

Patron--Lucas

S.R. 536. Celebrating the life of Leonard Jackson Hite.

Patron--Lucas

S.R. 537. Celebrating the life of the Honorable Bonnie Lineweaver Paul.

Patron--Obenshain

S.R. 538. Commending Geraldine Bailey Williams Johnson.

Patron--Morrissey

S.R. 539. Celebrating the life of Bruce Winston Edwards.

Patron--DeSteph

CALENDAR

HOUSE BILL ON THIRD READING

H.B. 5103 (five thousand one hundred three), on motion of Senator Howell, was passed by for the day.

SENATE BILLS ON THIRD READING

S.B. 5039 (five thousand thirty-nine) was read by title the third time and, on motion of Senator Marsden, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--39.

NAYS--0.

RULE 36--0.

S.B. 5116 (five thousand one hundred sixteen) was read by title the third time and, on motion of Senator McDougle, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--39.

NAYS--0.

RULE 36--0.

S.B. 5050 (five thousand fifty) was read by title the third time and, on motion of Senator Obenshain, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--39.

NAYS--0.

RULE 36--0.

S.B. 5012 (five thousand twelve) was read by title the third time and, on motion of Senator Suetterlein, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--10. RULE 36--0.

YEAS--Barker, Bell, Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Edwards, Hanger, Howell, Kiggans, Lewis, Marsden, Mason, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Spruill, Stanley, Stuart, Suetterlein--29.

NAYS--Boysko, Deeds, Ebbin, Favola, Hashmi, Locke, Lucas, McClellan, Saslaw, Surovell--10.

RULE 36--0.

SENATE BILLS ON SECOND READING

S.B. 5043 (five thousand forty-three) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4 of the Code of Virginia, relating to expungement of police and court records.

The reading of the substitute was waived.

Senator Deeds moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance and Appropriations was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 2 of Title 17.1 a section numbered 17.1-205.1, relating to expungement of police and court records; Expungement Fee Fund created.

The reading of the substitute was waived.

On motion of Senator Deeds, the substitute was agreed to.

On motion of Senator Deeds, the bill was ordered to be engrossed and read by title the third time.

S.B. 5025 (five thousand twenty-five) was read by title the second time and, on motion of Senator Newman, was ordered to be engrossed and read by title the third time.

S.B. 5007 (five thousand seven) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 19.2-257, 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3 of the Code of Virginia, relating to criminal cases; sentencing reform.

The reading of the substitute was waived.

Senator Morrissey moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance and Appropriations was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 19.2-257, 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3 of the Code of Virginia, relating to criminal cases; sentencing reform.

The reading of the substitute was waived.

On motion of Senator Morrissey, the substitute was agreed to.

On motion of Senator Morrissey, the bill was ordered to be engrossed and read by title the third time.

S.B. 5017 (five thousand seventeen), on motion of Senator Marsden, was passed by for the day.

S.B. 5018 (five thousand eighteen) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance and Appropriations was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to conditional release of geriatric or terminally ill prisoners.

The reading of the substitute was waived.

On motion of Senator Bell, the substitute was agreed to.

On motion of Senator Bell, the bill was ordered to be engrossed and read by title the third time.

S.B. 5024 (five thousand twenty-four), on motion of Senator Surovell, was passed by temporarily.

S.B. 5030 (five thousand thirty) was read by title the second time.

Senator Stanley moved that **S.B. 5030** be passed by for the day.

Senator Stanley withdrew the motion.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 9.1-168, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding sections numbered 9.1-112.1 and 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3 through 19.2-83.7, relating to policing reform.

The reading of the substitute was waived.

Senator Locke moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance and Appropriations was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 9.1-168, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding sections numbered 9.1-112.1 and 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3 through 19.2-83.7, relating to policing reform.

The reading of the substitute was waived.

On motion of Senator Locke, the substitute was agreed to.

Senator Stanley offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 9.1-168, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 40.1-57.2, as it shall become effective, 52-11.3, 52-30.2, 52-30.3, and 52-30.4 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding sections numbered 9.1-112.1 and 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3 through 19.2-83.7, relating to policing reform.

RULING OF THE CHAIR

The Chair ruled that the substitute offered by Senator Stanley to **S.B. 5030** was out of order.

Senator Stanley offered the following amendments to the substitute proposed by the Committee on Finance and Appropriations:

1. Line 12, substitute, after 19.2-83.7
insert
, and 40.1-57.2

2. After line 942, substitute
insert

§ 40.1-57.2. (Effective May 1, 2021) Collective bargaining.

A. No state, county, city, town, or like governmental officer, agent, or governing body is vested with or possesses any authority to recognize any labor union or other employee association as a bargaining agent of any public officers or employees, or to collectively bargain or enter into any collective bargaining contract with any such union or association or its agents with respect to any matter relating to them or their employment or service unless, in the case of a county, city, or town, such authority is provided for or permitted by a local ordinance or by a resolution. Any such ordinance or resolution shall provide for procedures for the certification and decertification of exclusive bargaining representatives, including reasonable public notice and opportunity for labor organizations to intervene in the process for designating an exclusive representative of a bargaining unit. As used in this section, "county, city, or town" includes any local school board, and "public officers or employees" includes employees of a local school board.

B. No ordinance or resolution adopted pursuant to subsection A shall include provisions that restrict the governing body's authority to establish the budget or appropriate funds.

C. For any governing body of a county, city, or town that has not adopted an ordinance or resolution providing for collective bargaining, such governing body shall, within 120 days of receiving certification from a majority of public employees in a unit considered by such employees to be appropriate for the purposes of collective bargaining, take a vote to adopt or not adopt an ordinance or resolution to provide for collective bargaining by such public employees and any other public employees deemed appropriate by the governing body. Nothing in this subsection shall require any governing body to adopt an ordinance or resolution authorizing collective bargaining.

D. Notwithstanding the provisions of subsection A regarding a local ordinance or resolution granting or permitting collective bargaining, no officer elected pursuant to Article VII, Section 4 of the Constitution of Virginia or any employee of such officer is vested with or possesses any authority to recognize any labor

union or other employee association as a bargaining agent of any public officers or employees, or to collectively bargain or enter into any collective bargaining contract with any such union or association or its agents, with respect to any matter relating to them or their employment or service.

E. Notwithstanding the provisions of subsection A, no county, city, town, or like governmental officer, agent, or governing body is vested with or possesses any authority (i) to recognize any labor union or other employee association as a bargaining agent of any law-enforcement agency or any employees of such a law-enforcement agency or (ii) to collectively bargain or enter into any collective bargaining contract with any such union or association or its agents with respect to any matter relating to them or their employment or service.

On motion of Senator Stanley, the reading of the amendments was waived.

Senator Stanley moved that the amendments be agreed to.

The question was put on agreeing to the amendments.

The yeas and nays were called for by the Chair.

The recorded vote is as follows:

YEAS--19. NAYS--20. RULE 36--0.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougale, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein--19.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Petersen, Saslaw, Spruill, Surovell--20.

RULE 36--0.

The amendments were rejected.

On motion of Senator Locke, the bill was ordered to be engrossed and read by title the third time.

S.B. 5035 (five thousand thirty-five), on motion of Senator Hashmi, was passed by for the day.

S.B. 5053 (five thousand fifty-three) was read by title the second time.

Senator Surovell moved that **S.B. 5053** be recommitted to the Committee on Finance and Appropriations.

Senator Newman moved, as a substitute motion, that **S.B. 5053** be passed by for the day.

Senator Petersen moved the previous question.

The question was put on ordering the previous question.

The recorded vote is as follows:

YEAS--20. NAYS--19. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--20.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Edwards, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein--19.

RULE 36--0.

The previous question was ordered.

The question was put on recommitting **S.B. 5053** to the Committee on Finance and Appropriations.

POINT OF ORDER

Senator Surovell raised a point of order as to whether debate could continue after the previous question had been ordered on **S.B. 5053**.

The Chair stated that debate could not continue after the previous question had been ordered on **S.B. 5053**.

The question was put on recommitting **S.B. 5053** to the Committee on Finance and Appropriations.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein--18.

RULE 36--0.

S.B. 5053 was recommitted to the Committee on Finance and Appropriations.

MEMORIAL RESOLUTIONS

S.R. 532 (five hundred thirty-two) was taken up, as follows:

SENATE RESOLUTION NO. 532

Celebrating the life of the Honorable John Henry Hager.

WHEREAS, the Honorable John Henry Hager, an esteemed public servant who was the Lieutenant Governor of Virginia from 1998 to 2002, died on August 23, 2020; and

WHEREAS, born in Durham, North Carolina, John Hager graduated from Purdue University with a degree in mechanical engineering and later earned a master's degree in business administration from Harvard University; and

WHEREAS, a member of the Reserve Officers' Training Corps in college, John Hager enlisted with the United States Army and served his country with courage and valor, rising to the rank of captain; and

WHEREAS, following in his father's footsteps, John Hager enjoyed a long and successful career as an executive at the American Tobacco Company; and

WHEREAS, at the age of 36, John Hager contracted polio and lost the ability to walk; with an indefatigable resolve to overcome this challenge and give back to his community, he persevered to reach the highest echelons of public service; and

WHEREAS, active in the Republican Party for many years, John Hager was elected Lieutenant Governor of Virginia in 1997, making history as the first individual with a physical disability to serve in the position; and

WHEREAS, presiding over the Senate of Virginia, John Hager earned the respect of colleagues from both parties for his fair and efficient approach, his strict adherence to the rules and customs of the chamber, and his clear and unwavering dedication to the Commonwealth and its citizens; and

WHEREAS, during his tenure as Lieutenant Governor, John Hager sat on several committees and commissions and chaired the Virginia Disability Commission, advocating effectively for improvements in the areas of transportation, employment, and housing to support disabled Virginians and their families; and

WHEREAS, John Hager was appointed by Governor Mark Warner to serve as the first Assistant to the Governor for Commonwealth Preparedness, coordinating the Commonwealth's security and emergency preparedness strategies and plans following the attacks on September 11; and

WHEREAS, nominated by President George W. Bush to serve as the Assistant Secretary for Special Education and Rehabilitative Services within the United States Department of Education, John Hager guided the federal government's efforts to enhance the quality of life for people with disabilities from 2004 to 2007; and

WHEREAS, a passionate proponent of his conservative values and principles, John Hager served as chair of the Virginia Republican Party from 2007 to 2008, leading his party with good sense, vision, and compassion; and

WHEREAS, Governor Ralph Northam ordered the Commonwealth's flag to be flown at half-staff for 10 days to honor the life and memory of John Hager, a testament to the deep and lasting impact he had on the Commonwealth; and

WHEREAS, John Hager will be dearly remembered and fondly missed by his loving wife, Margaret; his children, John and Henry, and their families; and numerous other family members, friends, and colleagues on both sides of the aisle; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of the Honorable John Henry Hager, a former Lieutenant Governor of Virginia who inspired countless citizens of the Commonwealth through his determination, leadership, and grace; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of the Honorable John Henry Hager as an expression of the Senate of Virginia's respect for his memory.

S.R. 532, on motion of Senator Norment, was ordered to be engrossed and was agreed to by a unanimous standing vote.

S.R. 534 (five hundred thirty-four), on motion of Senator Morrissey, was ordered to be engrossed and was agreed to by a unanimous standing vote.

SENATE BILL ON SECOND READING

S.B. 5024 (five thousand twenty-four) was taken up and read by title the second time.

Senator Lucas offered the following amendment:

1. Line 27, introduced, after *conciliation*.

insert

The Attorney General may include, as part of a conciliation agreement, a provision that the locality shall be ineligible for funding under Article 8 (§ 9.1-165 et seq.) of Chapter 1 of Title 9.1 upon a finding by any court of the Commonwealth that such locality is failing to comply with the conciliation agreement. Upon such a finding, the court shall declare the locality ineligible for funding until the locality comes into compliance with the conciliation agreement.

On motion of Senator Lucas, the reading of the amendment was waived.

On motion of Senator Lucas, the amendment was agreed to.

On motion of Senator Lucas, the bill was ordered to be engrossed and read by title the third time.

On motion of Senator McDougle, a leave of absence for the day was granted Senator Vogel on account of pressing personal business.

HONORARY ADJOURNMENT

Senator Morrissey addressed the Senate in memory of Bishop Gerald O. Glenn.

Senator Morrissey requested that when the Senate adjourns today, it adjourn in memory of Bishop Gerald O. Glenn.

On motion of Senator Lucas, the Senate, in memory of Bishop Gerald O. Glenn, adjourned until tomorrow at 12 m.

A handwritten signature in black ink, appearing to read "J. Fairfax". The signature is fluid and cursive, with the first letter of each word being significantly larger and more stylized.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly cursive and elegant, with long, sweeping lines and a prominent initial "S".

Susan Clarke Schaar
Clerk of the Senate

THURSDAY, SEPTEMBER 10, 2020

The Senate met at 12 m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable John A. Cosgrove, Jr., Fourteenth Senatorial District, offered the following prayer:

Let's go to the Lord and ask for His wisdom. Lord, You know in this time in our state and our country we need You more than ever. Let us ask for not material blessings but for wisdom to do the best we possibly can here. I want to share two of the best known scriptures, one from the Old Testament and one from the New.

In the words of David, "the Lord is my shepherd. I shall not want. He maketh me lie down in green pastures. He leadeth me beside the still waters. He restoreth my soul. He leadeth me in the paths of righteousness for His name's sake. Yea though I walk through the valley of the shadow of death, I will fear no evil, for Thou art with me. Thy rod and Thy staff, they comfort me. Thou preparest a table before me in the presence of Thine enemies. Thou anointest my head with oil and my cup runneth over. Surely goodness and mercy shall follow me all the days of my life and I will dwell in the house of the Lord forever."

And as Jesus taught us how to pray, I'd like to share with you. "Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done, on earth as it in heaven. Give us this day our daily bread and forgive us our debts as we forgive our debtors. And lead us not into temptation but deliver us from evil, for Thine is the kingdom and the power and the glory forever. Amen." God bless us all.

The Pledge of Allegiance to the Flag of the United States of America was led by Nathan Hatfield, Assistant Clerk-LINCS, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel.

A quorum was present.

On motion of Senator Pillion, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--34. NAYS--6. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell, Vogel--34.

NAYS--Chafin, Deeds, DeSteph, McDougle, Petersen, Stanley--6.

RULE 36--0.

HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates
September 9, 2020

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILL:

H.B. 5146. A BILL to amend and reenact §§ 9.1-101, 17.1-293.1, 17.1-323, 17.1-413, 17.1-502, 19.2-72, 19.2-74, 19.2-310.7, 19.2-389.3, and 19.2-390 of the Code of Virginia and to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 23.2, consisting of sections numbered 19.2-392.5 through 19.2-392.14, relating to automatic expungement of criminal records.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

On motion of Senator Saslaw, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:
YEAS--36. NAYS--4. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

NAYS--Deeds, DeSteph, McDougle, Petersen--4.
RULE 36--0.

The House bill communicated as passed by the House of Delegates, the first reading of its title required by the Constitution having been dispensed with, was referred as follows:

H.B. 5146 was referred to the Committee on the Judiciary.

INTRODUCTION OF LEGISLATION

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 540. Celebrating the life of Lori Lee Brickley.
Patron--McPike

S.R. 541. Commending Strike Fighter Squadron 213.
Patron--Kiggans

S.R. 542. Commending Lieutenant Colonel Alexander Semyon Vindman, USA Ret.
Patron--McPike

RECESS

At 12:20 p.m., Senator Saslaw moved that the Senate recess until 1:00 p.m.

The motion was agreed to.

The hour of 1:00 p.m. having arrived, the Chair was resumed.

CALENDAR

HOUSE BILL ON THIRD READING

H.B. 5103 (five thousand one hundred three), on motion of Senator Howell, was recommitted to the Committee on Finance and Appropriations.

SENATE BILLS ON THIRD READING

S.B. 5043 (five thousand forty-three) was read by title the third time and, on motion of Senator Deeds, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--Cosgrove, DeSteph--2.

RULE 36--0.

S.B. 5025 (five thousand twenty-five) was read by title the third time and, on motion of Senator Newman, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--40.

NAYS--0.

RULE 36--0.

S.B. 5007 (five thousand seven) was read by title the third time and, on motion of Senator Morrissey, was passed with its title.

The recorded vote is as follows:

YEAS--22. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Stanley, Surovell--22.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stuart, Suetterlein, Vogel--18.

RULE 36--0.

S.B. 5018 (five thousand eighteen) was taken up.

RECONSIDERATION

Senator Surovell moved to reconsider the vote by which **S.B. 5018** (five thousand eighteen) was ordered to be engrossed and read by title the third time.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--40.

NAYS--0.

RULE 36--0.

S.B. 5018, on motion of Senator Surovell, was passed by for the day.

S.B. 5024 (five thousand twenty-four) was read by title the third time and, on motion of Senator Lucas, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--18.

RULE 36--0.

S.B. 5030 (five thousand thirty), on motion of Senator Surovell, was passed by temporarily.

SENATE BILLS ON SECOND READING

S.B. 5017 (five thousand seventeen) was read by title the second time.

The following amendments proposed by the Committee on Rehabilitation and Social Services were offered:

1. Line 37, introduced, after Commonwealth.

strike

the remainder of line 37 and through *include* on line 38

insert

For the purposes of subsection B of § 53.1-68 and §§ 53.1-69, 53.1-69.1, 53.1-70, and 53.1-127, "local correctional facility" also includes

2. Line 40, introduced, after *a*

insert

contract or

3. Line 40, introduced, after *agency*

insert

or contractor

The reading of the amendments was waived.

Senator Boysko moved that the amendments be agreed to.

PARLIAMENTARY INQUIRY

Senator Peake propounded a parliamentary inquiry as to whether the substitute offered by Senator Marsden to **S.B. 5017** would be in order if the committee amendments to **S.B. 5017** were agreed to.

The Chair stated that the substitute offered by Senator Marsden to **S.B. 5017** would not be in order if the committee amendments to **S.B. 5017** were agreed to.

Senator Newman moved, as a substitute motion, that the committee amendments be passed by temporarily.

The question was put on passing the committee amendments by temporarily.

The committee amendments were passed by temporarily.

Senator Marsden offered an amendment in the nature of a substitute No. 1, having been printed separately, with its title reading as follows:

A BILL to require an inspection request for immigration detention facilities.

Senator Marsden withdrew the substitute.

Senator Marsden offered an amendment in the nature of a substitute No. 2, having been printed separately, with its title reading as follows:

A BILL to require an inspection request for immigration detention facilities.

On motion of Senator Marsden, the reading of the substitute was waived.

Senator Marsden moved that the substitute be agreed to.

S.B. 5017, on motion of Senator Petersen, was passed by for the day.

S.B. 5035 (five thousand thirty-five) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian review boards.

The reading of the substitute was waived.

Senator Hashmi moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance and Appropriations was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight body.

The reading of the substitute was waived.

On motion of Senator Hashmi, the substitute was agreed to.

On motion of Senator Hashmi, the bill was ordered to be engrossed and read by title the third time.

SENATE BILLS ON FIRST READING

Senator Saslaw moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

S.B. 5014 (five thousand fourteen).

S.B. 5034 (five thousand thirty-four).

S.B. 5038 (five thousand thirty-eight).

S.B. 5118 (five thousand one hundred eighteen).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--40.

NAYS--0.

RULE 36--0.

On motion of Senator Saslaw, the following Senate bills were passed by for the day:

S.B. 5014 (five thousand fourteen).

S.B. 5034 (five thousand thirty-four).

S.B. 5038 (five thousand thirty-eight).

S.B. 5118 (five thousand one hundred eighteen).

MEMORIAL RESOLUTIONS

On motion of Senator Saslaw, the questions on agreeing to the Senate resolutions that follow were considered en bloc.

On motion of Senator Saslaw, the following Senate resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

S.R. 535 (five hundred thirty-five).

S.R. 536 (five hundred thirty-six).

S.R. 537 (five hundred thirty-seven) was taken up, as follows:

SENATE RESOLUTION NO. 537

Celebrating the life of the Honorable Bonnie Lineweaver Paul.

WHEREAS, the Honorable Bonnie Lineweaver Paul, an active community leader and respected attorney who ably represented residents of the Shenandoah Valley in the House of Delegates for two terms, died on May 24, 2020; and

WHEREAS, a native of Harrisonburg, Bonnie Paul graduated as valedictorian of Harrisonburg High School and earned a bachelor's degree in art history from Wilson College in Pennsylvania; she subsequently worked as an assistant to the curator of the Virginia Museum of Fine Arts; and

WHEREAS, in the 1960s, Bonnie Paul relocated to a military base in Thailand while her husband was deployed to Vietnam and demonstrated her commitment to lifelong learning by establishing a library on the base; and

WHEREAS, after returning to the Commonwealth, Bonnie Paul taught art history at what is now James Madison University and pursued an interest in government as founder of a local League of Women Voters and a Virginia representative to the 1980 Republican National Convention; and

WHEREAS, desirous to be of further service to the Commonwealth, Bonnie Paul ran for and was elected to the House of Delegates in 1975, becoming the first woman from the Shenandoah Valley to serve as a member of the body; and

WHEREAS, during her time as a state lawmaker, Bonnie Paul introduced and supported important pieces of legislation to benefit all Virginians and offered her unique insights to committees and commissions; and

WHEREAS, Bonnie Paul went on to earn a law degree from Washington and Lee University and practiced law in Charlottesville before opening her own practice in Harrisonburg, where she served the community for 30 years; and

WHEREAS, Bonnie Paul offered her wisdom and expertise to the James Madison University Board of Visitors, the Harrisonburg-Rockingham Historical Society, the Women's Health Center at Rockingham Memorial Hospital, and many other nonprofit organizations; and

WHEREAS, Bonnie Paul nurtured her passion for the arts throughout her life, painting watercolor scenes of the beautiful mountain vistas around the home she personally designed; in 2010, she researched, organized, and designed an engaging exhibition on fraktur folk art, an elaborate form of illuminated art related to the calligraphic fraktur script; and

WHEREAS, Bonnie Paul will be fondly remembered and greatly missed by her children, Penelope, John, and Thomas, and their families; her sister, Debra; and numerous other family members, friends, and colleagues on both sides of the aisle; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of the Honorable Bonnie Lineweaver Paul, a respected attorney and former state legislator who made numerous contributions to communities in the Blue Ridge Mountains; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of the Honorable Bonnie Lineweaver Paul as an expression of the Senate of Virginia's respect for her memory.

S.R. 537, on motion of Senator Obenshain, was ordered to be engrossed and was agreed to by a unanimous standing vote.

COMMENDING RESOLUTION

S.R. 538 (five hundred thirty-eight), on motion of Senator Morrissey, was ordered to be engrossed and was agreed to.

SENATE BILL ON THIRD READING

S.B. 5030 (five thousand thirty) was taken up and read by title the third time.

Senator Locke moved that **S.B. 5030** be passed with its title.

Senator DeSteph moved that **S.B. 5030** be sent to the Virginia State Crime Commission.

RULING OF THE CHAIR

The Chair ruled that **S.B. 5030** could only be referred to a Senate committee.

Senator DeSteph moved that **S.B. 5030** be recommitted to the Committee on the Judiciary.

The question was put on recommitting **S.B. 5030** to the Committee on the Judiciary.

The motion was rejected.

RULING OF THE CHAIR

Senator DeSteph propounded a parliamentary inquiry as to whether **S.B. 5030** violated Article IV, Section 12 of the Constitution, which states, "No law shall embrace more than one object, which shall be expressed in its title."

The Chair ruled that **S.B. 5030** did not violate Article IV, Section 12 of the Constitution.

S.B. 5030, on motion of Senator Locke, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--19. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

RULE 36--0.

Pursuant to the provisions of Senate Rule 2 (c), the President pro tempore named Senator Jennifer L. McClellan to perform the duties of the Presiding Officer in her absence on Monday, September 14, 2020.

HONORARY ADJOURNMENT

Senator DeSteph addressed the Senate in memory of the victims of the September 11, 2001, terrorist attack.

Senator DeSteph requested that when the Senate adjourns, it adjourn in memory of the victims of the September 11, 2001, terrorist attack.

RECESS

At 3:40 p.m., Senator Saslaw moved that the Senate recess until Monday, September 14, 2020, at 3:40 p.m.

The motion was agreed to.

The hour of 3:40 p.m. on Monday, September 14, 2020, having arrived, the Chair was resumed, the Acting President pro tempore, Senator Jennifer L. McClellan, presiding.

On motion of Senator McDougle, the Senate, in memory of the victims of the September 11, 2001, terrorist attack, adjourned until Tuesday, September 15, 2020, at 4:00 p.m.

A handwritten signature in black ink, appearing to read "J. Fairfax". The signature is fluid and cursive, with the first letter of each word being significantly larger and more stylized than the others.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with the first letter of each word being significantly larger and more decorative than the others.

Susan Clarke Schaar
Clerk of the Senate

TUESDAY, SEPTEMBER 15, 2020

The Senate met at 4:00 p.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable L. Louise Lucas, Eighteenth Senatorial District, offered the following prayer:

The earnest heartfelt prayer of the righteous makes tremendous powers available. So let us bow our heads as we go to the throne of grace. Almighty God, it is in the name of Your Son Jesus that we give thanks for the United States and its government. We hold up in prayer before You this government. We hold up in prayer before You the men and women of the Virginia Senate, the Lieutenant Governor, Madam Clerk and her staff, the Attorney General, the Governor, and all that You have placed in positions of authority. We pray and intercede for the judges of our land, for police officers, mayors, and all those that You have over governing bodies and we pray that the Spirit of the Lord rest upon them one and all. Lord, we give thanks unto You that the good news of the gospel is published in our land. The word of the Lord prevails and grows mightily in the hearts and lives of Your people. We give thanks for this land and as leaders herein. You have given us the power, the authority to govern, and for that, Lord, we say thank You. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Lindley Griffin, Calendar Clerk/Committee Clerk, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Normont, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell.

A quorum was present.

After the roll call, Senators Lewis and McDougle notified the Clerk of their presence.

On motion of Senator Howell, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--29. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Obenshain, Peake, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--29.

NAYS--Deeds, DeSteph--2.

RULE 36--0.

HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates
September 10, 2020

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

H.B. 5043. A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 37.2 an article numbered 5, consisting of sections numbered 37.2-320 through 37.2-323, relating to community care teams and mental health awareness response and community understanding services (Marcus) alert system.

H.B. 5049. A BILL to amend and reenact §§ 9.1-101, 9.1-102, 15.2-1123.1, and 18.2-312 of the Code of Virginia; to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, and by adding sections numbered 15.2-1721.1 and 15.2-1722.2; and to repeal § 52-11.3 of the Code of Virginia, relating to acquisition and use of military property by law-enforcement agencies.

H.B. 5090. A BILL to amend and reenact § 2.2-3706 of the Code of Virginia, relating to the Virginia Freedom of Information Act; law-enforcement criminal incident information; criminal investigative files.

H.B. 5116. A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 40.1 an article numbered 2.1, consisting of sections numbered 40.1-33.3 through 40.1-33.7, relating to employees; paid quarantine leave.

H.B. 5148. A BILL to amend and reenact § 53.1-202.3 of the Code of Virginia, relating to Department of Corrections; earned sentence credits.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

On motion of Senator Saslaw, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:
YEAS--30. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--30.

NAYS--Deeds, DeSteph--2.
RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

H.B. 5043, H.B. 5049, and H.B. 5148 were referred to the Committee on the Judiciary.

H.B. 5090 was referred to the Committee on General Laws and Technology.

H.B. 5116 was referred to the Committee on Commerce and Labor.

INTRODUCTION OF LEGISLATION

The following, by leave, was presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 543. Celebrating the life of Jacqueline Kidd King.
Patrons--Suetterlein and Pillion

CALENDAR

SENATE BILL ON THIRD READING

S.B. 5035 (five thousand thirty-five) was read by title the third time and, on motion of Senator Hashmi, was passed with its title.

The recorded vote is as follows:
YEAS--20. NAYS--15. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--20.

NAYS--Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Ruff, Stanley, Stuart, Suetterlein--15.
RULE 36--0.

SENATE BILLS ON SECOND READING

S.B. 5014 (five thousand fourteen) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-102 and 9.1-188 of the Code of Virginia, relating to minimum training standards for law-enforcement officers; crisis intervention team training.

The reading of the substitute was waived.

Senator Edwards moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance and Appropriations was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-102 and 9.1-188 of the Code of Virginia, relating to minimum training standards for law-enforcement officers; crisis intervention team training.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

On motion of Senator Edwards, the bill was ordered to be engrossed and read by title the third time.

S.B. 5018 (five thousand eighteen) was taken up, the committee substitute having been agreed to on September 9, 2020.

Senator Surovell offered the following amendment to the substitute:

1. Line 17, substitute, after *ill*

insert

and is not serving a sentence imposed upon a conviction for first degree murder in violation of § 18.2-32

Senator Surovell withdrew the amendment.

Senator Bell offered the following amendment to the substitute:

1. Line 17, substitute, after *ill*

insert

and is not serving a sentence imposed upon a conviction for either first or second degree murder under Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2

On motion of Senator Bell, the reading of the amendment was waived.

On motion of Senator Bell, the amendment was agreed to.

On motion of Senator Bell, the bill was ordered to be engrossed and read by title the third time.

S.B. 5017 (five thousand seventeen) was taken up, the committee amendments and substitute No. 2 proposed by Senator Marsden having been offered on September 10, 2020.

Senator Boysko moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were rejected.

Senator Marsden withdrew substitute No. 2.

Senator Favola offered the following amendments:

1. Line 37, introduced, after Commonwealth.

strike

The remainder of line 37 and through *include* on line 38

insert

For the purposes of subsection B of § 53.1-68 and §§ 53.1-69, 53.1-69.1, and 53.1-127, "local correctional facility" also includes

2. Line 40, introduced, after *a*

insert

contract or

3. Line 40, introduced, after *agency*

insert

or contractor

On motion of Senator Favola, the reading of the amendments was waived.

On motion of Senator Favola, the amendments were agreed to.

On motion of Senator Boysko, the bill was ordered to be engrossed and read by title the third time.

S.B. 5034 (five thousand thirty-four) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance and Appropriations was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 53.1-40.01 and 53.1-202.3 of the Code of Virginia, relating to release of prisoners.

The reading of the substitute was waived.

On motion of Senator Boysko, the substitute was agreed to.

On motion of Senator Boysko, the bill was ordered to be engrossed and read by title the third time.

S.B. 5038 (five thousand thirty-eight) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 9.1-187.1, 9.1-188.1, and 9.1-189.1, relating to mobile crisis co-response team programs.

The reading of the substitute was waived.

Senator McPike moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance and Appropriations was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 16, consisting of a section numbered 9.1-193, and by adding a section numbered 37.2-311.1, relating to response to mental health crises; establishment of the mental health awareness response and community understanding services (Marcus) alert system.

The reading of the substitute was waived.

On motion of Senator McPike, the substitute was agreed to.

On motion of Senator McPike, the bill was ordered to be engrossed and read by title the third time.

S.B. 5118 (five thousand one hundred eighteen) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Commerce and Labor was offered, having been printed separately, with its title reading as follows:

A BILL to require certain utilities to develop an Emergency Debt Repayment Plan.

The reading of the substitute was waived.

On motion of Senator McClellan, the substitute was agreed to.

The following amendments proposed by the Committee on Finance and Appropriations to the substitute were offered:

1. At the beginning of line 43, substitute

insert

The Commission shall allow for the timely recovery of bad debt obligations, reasonable late payment fees suspended, and prudently incurred implementation costs resulting from an EDRP for jurisdictional utilities, including through a rate adjustment clause or through base rates. The Commission may apply any applicable earnings test in the Commission rules governing utility rate applications and annual informational filings when assessing the recovery of such costs.

2. Line 57, substitute, after *provide*

insert

, upon request,

3. Line 64, substitute, after *report*

strike

the remainder of line 64, all of line 65, and through 2021 on line 66

insert

within 30 days of a request by the chairs of such committees

4. Line 67, substitute, after *than*

strike

November 20, 2020

insert

January 1, 2021

The reading of the amendments was waived.

On motion of Senator McClellan, the amendments were agreed to.

On motion of Senator McClellan, the bill was ordered to be engrossed and read by title the third time.

MEMORIAL RESOLUTION

S.R. 540 (five hundred forty), on motion of Senator McPike, was passed by for the day.

COMMENDING RESOLUTIONS

S.R. 541 (five hundred forty-one), on motion of Senator Kiggans, was ordered to be engrossed and was agreed to.

S.R. 542 (five hundred forty-two), on motion of Senator Suetterlein, was passed by for the day.

On motion of Senator Cosgrove, a leave of absence for the day was granted Senator Chafin on account of pressing personal business.

On motion of Senator Lucas, a leave of absence for the day was granted Senator Locke on account of pressing personal business.

On motion of Senator Dunnavant, a leave of absence for the day was granted Senator Pillion on account of pressing personal business.

On motion of Senator Stanley, a leave of absence for the day was granted Senator Reeves on account of pressing personal business.

On motion of Senator McDougle, a leave of absence for the day was granted Senator Vogel on account of pressing personal business.

On motion of Senator Lucas, the Senate adjourned until tomorrow at 10:00 a.m.

A handwritten signature in black ink, appearing to read "J. Fairfax", written in a cursive style.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar", written in a cursive style.

Susan Clarke Schaar
Clerk of the Senate

WEDNESDAY, SEPTEMBER 16, 2020

The Senate met at 10:00 a.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Mark J. Peake, Twenty-second Senatorial District, offered the following prayer:

Our most gracious and heavenly Father, we give thanks for the opportunity to meet here today to serve the people of the Commonwealth. We ask for Your guidance as we gather here to do the people's business. Please bless us with wisdom, patience, and understanding as we debate the important issues that face the Commonwealth during this critical time. We ask that You please continue to bless the Senate staff that work so hard to enable us to do the people's business. We ask that You continue to bless the Capitol Police who work so hard to protect us and keep us safe. We ask that You please protect them and keep them safe and protect all of the law enforcement officers in the Commonwealth. We thank You, O Lord, for this opportunity for each and every one of us to serve as a representative and voice for the citizens of the Commonwealth. We ask You to please empower us to fulfill our awesome responsibilities with resolve, respect, and compassion. And finally, O Lord, we ask that You please continue to protect the men and women of our military who risk their lives every day to ensure we remain the land of the free. In Jesus' name we pray. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Corinne Sloan, Assistant Journal Clerk, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell.

A quorum was present.

After the roll call, Senator Suetterlein notified the Clerk of his presence.

On motion of Senator Norment, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--32. NAYS--4. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell--32.

NAYS--Deeds, DeSteph, McDougale, Petersen--4.

RULE 36--0.

COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Saslaw from the Committee on Commerce and Labor:

H.B. 5047 (five thousand forty-seven) with amendment.

H.B. 5087 (five thousand eighty-seven) with amendment.

The following bills, having been considered by the committee in session, were recommended for rereferral by the Committee on Commerce and Labor:

H.B. 5028 (five thousand twenty-eight) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5115 (five thousand one hundred fifteen) with the recommendation that it be rereferred to the Committee on General Laws and Technology.

H.B. 5028 was rereferred to the Committee on Finance and Appropriations.

H.B. 5115 was rereferred to the Committee on General Laws and Technology.

INTRODUCTION OF LEGISLATION

The following, by leave, was presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 544. Celebrating the life of Jeff Matthew Wescott, Jr.

Patron--McClellan

CALENDAR

SENATE BILLS ON THIRD READING

S.B. 5014 (five thousand fourteen) was read by title the third time and, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--37.

NAYS--0.

RULE 36--0.

S.B. 5018 (five thousand eighteen) was read by title the third time and, on motion of Senator Bell, was passed with its title.

The recorded vote is as follows:

YEAS--22. NAYS--15. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--22.

NAYS--Chase, Cosgrove, DeSteph, Dunnavant, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--15.

RULE 36--0.

S.B. 5017 (five thousand seventeen) was read by title the third time and, on motion of Senator Boysko, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--16.

RULE 36--0.

S.B. 5034 (five thousand thirty-four) was read by title the third time and, on motion of Senator Boysko, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--16.

RULE 36--0.

S.B. 5038 (five thousand thirty-eight) was read by title the third time and, on motion of Senator McPike, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--15. RULE 36--0.

YEAS--Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chase, Cosgrove, DeSteph, Dunnavant, Hanger, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--15.

RULE 36--0.

S.B. 5118 (five thousand one hundred eighteen) was read by title the third time and, on motion of Senator McClellan, was passed with its title.

The recorded vote is as follows:

YEAS--22. NAYS--13. RULE 36--1.

YEAS--Barker, Bell, Boysko, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Petersen, Saslaw, Spruill, Surovell--22.

NAYS--Chase, Cosgrove, DeSteph, Dunnavant, Kiggans, McDougale, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart--13.

RULE 36--Deeds--1.

RECONSIDERATION

Senator Surovell moved to reconsider the vote by which **S.B. 5038** (five thousand thirty-eight) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--37.

NAYS--0.

RULE 36--0.

S.B. 5038, on motion of Senator McPike, was passed with its title.

The recorded vote is as follows:

YEAS--25. NAYS--12. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Stanley, Suetterlein, Surovell--25.

NAYS--Chase, Cosgrove, DeSteph, Hanger, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stuart--12.

RULE 36--0.

RECONSIDERATION

Senator Surovell moved to reconsider the vote by which **S.B. 5118** (five thousand one hundred eighteen) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--35. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--35.

NAYS--Norment, Obenshain--2.

RULE 36--0.

S.B. 5118, on motion of Senator McClellan, was passed with its title.

The recorded vote is as follows:

YEAS--24. NAYS--12. RULE 36--1.

YEAS--Barker, Bell, Boysko, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Petersen, Saslaw, Spruill, Suetterlein, Surovell--24.

NAYS--Chase, Cosgrove, DeSteph, Dunnivant, McDougale, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart--12.

RULE 36--Deeds--1.

RECESS

At 1:11 p.m., Senator Norment moved that the Senate recess until 1:13 p.m.

The motion was agreed to.

The hour of 1:13 p.m. having arrived, the Chair was resumed.

MEMORIAL RESOLUTIONS

S.R. 540 (five hundred forty), on motion of Senator McPike, was ordered to be engrossed and was agreed to by a unanimous standing vote.

S.R. 543 (five hundred forty-three), on motion of Senator Suetterlein, was ordered to be engrossed and was agreed to by a unanimous standing vote.

COMMENDING RESOLUTION

S.R. 542 (five hundred forty-two), on motion of Senator McPike, was passed by for the day.

On motion of Senator Cosgrove, a leave of absence for the day was granted Senator Chafin on account of pressing personal business.

On motion of Senator Dunnivant, a leave of absence for the day was granted Senator Pillion on account of pressing personal business.

On motion of Senator McDougle, a leave of absence for the day was granted Senator Vogel on account of pressing personal business.

HONORARY ADJOURNMENT

Senator McPike addressed the Senate in memory of Lori Lee Brickley.

Senator McPike requested that when the Senate adjourns, it adjourn in memory of Lori Lee Brickley.

RECESS

At 1:40 p.m., Senator Saslaw moved that the Senate recess until Thursday, September 24, 2020, at 11:55 a.m.

The motion was agreed to.

The hour of 11:55 a.m. on Thursday, September 24, 2020, having arrived, the Chair was resumed, the President pro tempore, Senator L. Louise Lucas, presiding.

On motion of Senator Saslaw, the Senate, in memory of Lori Lee Brickley, adjourned until Thursday, September 24, 2020 at 1:00 p.m. The Clerk was ordered to receive the committee reports.

COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Edwards from the Committee on the Judiciary on September 16, 2023:

H.B. 5029 (five thousand twenty-nine) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5043 (five thousand forty-three) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5045 (five thousand forty-five) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5049 (five thousand forty-nine) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5051 (five thousand fifty-one) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5055 (five thousand fifty-five) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5058 (five thousand fifty-eight) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5059 (five thousand fifty-nine).

H.B. 5062 (five thousand sixty-two) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5068 (five thousand sixty-eight) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5069 (five thousand sixty-nine) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5072 (five thousand seventy-two) with amendment with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5098 (five thousand ninety-eight) with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5099 (five thousand ninety-nine) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5104 (five thousand one hundred four) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5108 (five thousand one hundred eight) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5109 (five thousand one hundred nine) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5146 (five thousand one hundred forty-six) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on the Judiciary on September 16, 2023:

H.B. 5148 (five thousand one hundred forty-eight) with the recommendation that it be rereferred to the Committee on Rehabilitation and Social Services.

H.B. 5029, H.B. 5043, H.B. 5045, H.B. 5049, H.B. 5051, H.B. 5055, H.B. 5058, H.B. 5062, H.B. 5068, H.B. 5069, H.B. 5072, H.B. 5098, H.B. 5099, H.B. 5104, H.B. 5108, H.B. 5109, and H.B. 5146 were rereferred to the Committee on Finance and Appropriations.

H.B. 5148 was rereferred to the Committee on Rehabilitation and Social Services.

The following bills, having been considered by the committee in session, were reported by Senator Barker from the Committee on General Laws and Technology on September 18, 2020:

H.B. 5050 (five thousand fifty) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5052 (five thousand fifty-two).

H.B. 5064 (five thousand sixty-four) with substitute.

H.B. 5093 (five thousand ninety-three) with amendment.

H.B. 5106 (five thousand one hundred six) with amendments.

H.B. 5115 (five thousand one hundred fifteen) with amendment.

H.B. 5050 was rereferred to the Committee on Finance and Appropriations.

The following bill, having been considered by the committee in session, was reported by Senator Favola from the Committee on Rehabilitation and Social Services on September 18, 2020:

H.B. 5148 (five thousand one hundred forty-eight) with substitute with the recommendation that it be rereferred to the Committee on Finance and Appropriations.

H.B. 5148 was rereferred to the Committee on Finance and Appropriations.

The following bills, having been considered by the committee in session, were reported by Senator Lucas from the Committee on Education and Health on September 22, 2020:

H.B. 5041 (five thousand forty-one) with amendments.

H.B. 5046 (five thousand forty-six) with amendments.

H.B. 5048 (five thousand forty-eight) with amendment.

H.B. 5113 (five thousand one hundred thirteen).

The following joint resolution, having been considered by the committee in session, was reported by Senator Locke from the Committee on Rules on September 23, 2020:

H.J.R. 5010 (five thousand ten).

A handwritten signature in black ink, appearing to read "J. Fairfax". The signature is fluid and cursive, with the first letter of each word being significantly larger and more stylized than the others.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with the first letter of each word being significantly larger and more ornate than the others.

Susan Clarke Schaar
Clerk of the Senate

THURSDAY, SEPTEMBER 24, 2020

The Senate met at 1:00 p.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Adam P. Ebbin, Thirtieth Senatorial District, offered the following prayer:

Holy One of Blessing, we know You by many names, Adonai, Allah, Jesus, Brahma the Creator, Vishnu the Preserver, and Shiva the Destroyer. Some find You in the wisdom of the Buddha or in Shintoism. Others draw from every tradition or find inspiration simply by reaching for the highest good. Every wisdom path leads up the mountain inspired by common values. Every human being is called toward becoming our highest selves. The world is not perfected, it is ours to perfect. Ours are the hands who must support the fallen, who must help heal the sick, who must work to create compromise. We are in the midst of the holiest days on the Jewish calendar, the days that include Rosh Hashanah and Yom Kippur. Let the universal themes of these days guide us now. Let us be awoken from our torpor by the sound of the shofar blast, the resounding ram's horn that urges us to refocus on that which is most important in our lives and in the lives of those who we serve. Let us atone for the error of our ways and pledge to move forward with a renewed sense of determination to pursue a more fair and just society for all. And together let us say, Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Michael Adams, Director of Human Resources, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Suetterlein, Surovell.

A quorum was present.

After the roll call, Senator Stanley notified the Clerk of his presence.

On motion of Senator Morrissey, the reading of the Journal was waived.

The recorded vote is as follows:
YEAS--31. NAYS--3. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Saslaw, Spruill, Suetterlein, Surovell--31.

NAYS--Deeds, McDougle, Petersen--3.
RULE 36--0.

INTRODUCTION OF LEGISLATION

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 545. Celebrating the life of Richard Rigney.
Patron--DeSteph

S.R. 546. Celebrating the life of Joseph Alexander.
Patrons--Ebbin, Barker, Howell and Marsden

S.R. 547. Celebrating the life of Kevin Beekman.
Patrons--Ebbin and Barker

S.R. 548. Commending Elaine R. Jones.
Patron--McClellan

S.R. 549. Commending the captain and crew of the *Smuggler's Point* fishing vessel.
Patron--Stuart

S.R. 550. Commending Annie Eliza Lewis.
Patron--McClellan

S.R. 551. Celebrating the life of Oliver White Hill, Jr.
Patrons--McClellan, Lucas and Spruill

CALENDAR

HOUSE BILLS ON SECOND READING

Senator Saslaw moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- H.B. 5041** (five thousand forty-one).
- H.B. 5046** (five thousand forty-six).
- H.B. 5048** (five thousand forty-eight).
- H.B. 5052** (five thousand fifty-two).
- H.B. 5059** (five thousand fifty-nine).
- H.B. 5087** (five thousand eighty-seven).
- H.B. 5113** (five thousand one hundred thirteen).
- H.B. 5115** (five thousand one hundred fifteen).
- H.B. 5047** (five thousand forty-seven).
- H.B. 5064** (five thousand sixty-four).
- H.B. 5093** (five thousand ninety-three).
- H.B. 5106** (five thousand one hundred six).

The motion was agreed to.

The recorded vote is as follows:
YEAS--35. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell--35.

NAYS--0.
RULE 36--0.

On motion of Senator Saslaw, the following House bills were passed by for the day:

- H.B. 5041** (five thousand forty-one).
- H.B. 5046** (five thousand forty-six).
- H.B. 5048** (five thousand forty-eight).

H.B. 5052 (five thousand fifty-two).
H.B. 5059 (five thousand fifty-nine).
H.B. 5087 (five thousand eighty-seven).
H.B. 5113 (five thousand one hundred thirteen).
H.B. 5115 (five thousand one hundred fifteen).
H.B. 5047 (five thousand forty-seven).
H.B. 5064 (five thousand sixty-four).
H.B. 5093 (five thousand ninety-three).
H.B. 5106 (five thousand one hundred six).

HOUSE JOINT RESOLUTION ON SECOND READING

H.J.R. 5010 (five thousand ten) was read by title the second time.

COMMENDING RESOLUTION

S.R. 542 (five hundred forty-two), on motion of Senator McPike, was passed by for the day.

On motion of Senator Reeves, a leave of absence for the day was granted Senator DeSteph on account of pressing personal business.

On motion of Senator McPike, a leave of absence for the day was granted Senator Lewis on account of pressing personal business.

On motion of Senator Chafin, a leave of absence for the day was granted Senator Pillion on account of pressing personal business.

On motion of Senator McDougle, a leave of absence for the day was granted Senator Vogel on account of pressing personal business.

HONORARY ADJOURNMENT

Senator Boysko addressed the Senate in memory of Justice Ruth Bader Ginsburg.

Senator Boysko requested that when the Senate adjourns today, it adjourn in memory of Justice Ruth Bader Ginsburg.

On motion of Senator Lucas, the Senate, in memory of Justice Ruth Bader Ginsburg, adjourned until tomorrow at 1:00 p.m. The Clerk was ordered to receive the committee report.

COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Howell from the Committee on Finance and Appropriations:

H.B. 5029 (five thousand twenty-nine).
H.B. 5043 (five thousand forty-three).
H.B. 5045 (five thousand forty-five).
H.B. 5049 (five thousand forty-nine).
H.B. 5050 (five thousand fifty).
H.B. 5051 (five thousand fifty-one).

H.B. 5055 (five thousand fifty-five).
H.B. 5058 (five thousand fifty-eight).
H.B. 5062 (five thousand sixty-two) with substitute.
H.B. 5068 (five thousand sixty-eight).
H.B. 5069 (five thousand sixty-nine).
H.B. 5072 (five thousand seventy-two).
H.B. 5098 (five thousand ninety-eight).
H.B. 5099 (five thousand ninety-nine).
H.B. 5104 (five thousand one hundred four).
H.B. 5108 (five thousand one hundred eight).
H.B. 5109 (five thousand one hundred nine).
H.B. 5146 (five thousand one hundred forty-six).
H.B. 5148 (five thousand one hundred forty-eight).

A handwritten signature in black ink, appearing to read "J. E. Fairfax". The signature is fluid and cursive, with the first and last letters of each name being capitalized and prominent.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is cursive and elegant, with the first and last letters of each name being capitalized and prominent.

Susan Clarke Schaar
Clerk of the Senate

FRIDAY, SEPTEMBER 25, 2020

The Senate met at 1:00 p.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Mark D. Obenshain, Twenty-sixth Senatorial District, offered the following prayer:

Our heavenly Father, we ask that we may be faithful, informed, and thoughtful when praying and when talking to others about our politics and our beliefs. We ask for Your wisdom and Your consciousness, righteousness, and we ask that it be evident in our work and in our policies. We ask that the leaders of our Commonwealth and the leaders of our nation kneel down before You in prayer to seek Your wisdom and Your righteousness. We ask that You bless our Jewish friends, colleagues, and their loved ones during these holy days as they celebrate a new year and Yom Kippur. We ask Your blessing upon our relationships with each other and may we model the behavior exhibited by our sister Ruth Bader Ginsburg and Antonin Scalia, notwithstanding differences in politics and beliefs that we may have. We ask for health, we ask You to protect our safety during this weekend and during these dangerous times and we ask for healing for those who are suffering. We ask for financial security for those who are insecure and we ask all of these things in Your holy name and I pray in the name of Jesus Christ our Savior. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Hobie Lehman, Assistant Clerk–Committee Operations/Sergeant-at-Arms, Senate Clerk’s Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell.

A quorum was present.

After the roll call, Senator Lucas notified the Clerk of her presence.

On motion of Senator Kiggans, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--31. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Saslaw, Spruill, Stuart, Surovell--31.

NAYS--Deeds, McDougle, Petersen, Stanley, Suetterlein--5.

RULE 36--0.

COMMITTEE REPORT

The following bill, having been considered by the committee in session, was reported by Senator Howell from the Committee on Finance and Appropriations:

S.B. 5015 (five thousand fifteen) with amendments.

INTRODUCTION OF LEGISLATION

The following, by leave, was presented, ordered to be printed, and referred under Senate Rule 11 (b):

- S.R. 552.** Establishing a provision to recess during the 2020 Special Session I of the General Assembly.
Patron--Locke
Referred to Committee on Rules

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

- S.R. 553.** Celebrating the life of Douglas Dee Moore.
Patron--Suetterlein

- S.R. 554.** Celebrating the life of Albert Sidney Johnston Tucker III.
Patron--Suetterlein

- S.R. 555.** Celebrating the life of Nancy Lewey Spigle.
Patron--Suetterlein

- S.R. 556.** Celebrating the life of Walter H. Peake III.
Patrons--Suetterlein, Boysko, Chafin, Chase, Deeds, Dunnivant, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Mason, Morrissey, Newman, Norment, Pillion, Reeves, Ruff, Spruill, Stuart, Surovell and Vogel

- S.R. 557.** Celebrating the life of Cody Lee Wingate.
Patron--Pillion

CALENDAR**HOUSE BILLS ON THIRD READING**

Senator Saslaw moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- H.B. 5041** (five thousand forty-one).
H.B. 5046 (five thousand forty-six).
H.B. 5048 (five thousand forty-eight).
H.B. 5052 (five thousand fifty-two).
H.B. 5059 (five thousand fifty-nine).
H.B. 5087 (five thousand eighty-seven).
H.B. 5113 (five thousand one hundred thirteen).
H.B. 5115 (five thousand one hundred fifteen).

The motion was agreed to.

- H.B. 5041** (five thousand forty-one) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 215, engrossed, after *that*
strike
prevent
insert
prevents

2. After line 273, engrossed
insert

3. That the Department of Health shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

The reading of the amendments was waived.

On motion of Senator Suetterlein, the amendments were agreed to.

The amendments were ordered to be engrossed.

H.B. 5046 (five thousand forty-six) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 296, engrossed, after services
insert
 , [a comma]
2. Line 392, engrossed, after 38.2-5500 et seq.),
strike
 and
3. Line 392, engrossed, after 38.2-5800 et seq.)
insert
 , and Chapter 65 (§ 38.2-6500 et seq.)
4. Line 447, engrossed, after 38.2-5500 et seq.),
strike
 and
5. Line 447, engrossed, after 38.2-5800 et seq.)
insert
 , and Chapter 65 (§ 38.2-6500 et seq.)

The reading of the amendments was waived.

On motion of Senator Newman, the amendments were agreed to.

The amendments were ordered to be engrossed.

H.B. 5048 (five thousand forty-eight) was taken up.

The following amendment proposed by the Committee on Education and Health was offered:

1. Line 15, engrossed, after *to*
strike
[*subsection B of*]

The reading of the amendment was waived.

On motion of Senator Newman, the amendment was agreed to.

The amendment was ordered to be engrossed.

H.B. 5115 (five thousand one hundred fifteen) was taken up.

The following amendment proposed by the Committee on General Laws and Technology was offered:

1. Line 38, engrossed, after *experience*
strike
any
insert
a

The reading of the amendment was waived.

On motion of Senator Barker, the amendment was agreed to.

The amendment was ordered to be engrossed.

Senator Saslaw moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Saslaw, the following House bills were passed en bloc with their titles:

- H.B. 5041** (five thousand forty-one) with amendments.
- H.B. 5046** (five thousand forty-six) with amendments.
- H.B. 5048** (five thousand forty-eight) with amendment.
- H.B. 5052** (five thousand fifty-two).
- H.B. 5059** (five thousand fifty-nine).
- H.B. 5113** (five thousand one hundred thirteen).
- H.B. 5115** (five thousand one hundred fifteen) with amendment.

The recorded vote is as follows:

YEAS--35. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Spruill, Stanley, Stuart, Suetterlein, Surovell--35.

NAYS--0.

RULE 36--0.

H.B. 5087 (five thousand eighty-seven) was taken up.

The following amendment proposed by the Committee on Commerce and Labor was offered:

1. Line 14, introduced, after program
strike
by
insert
not later than

The reading of the amendment was waived.

On motion of Senator Saslaw, the amendment was agreed to.

H.B. 5087, on motion of Senator McPike, was passed by temporarily.

RECONSIDERATION

Senator Newman moved to reconsider the vote by which the following House bills were passed en bloc with their titles:

- H.B. 5041** (five thousand forty-one) with amendments.
- H.B. 5046** (five thousand forty-six) with amendments.
- H.B. 5048** (five thousand forty-eight) with amendment.
- H.B. 5052** (five thousand fifty-two).
- H.B. 5059** (five thousand fifty-nine).
- H.B. 5113** (five thousand one hundred thirteen).
- H.B. 5115** (five thousand one hundred fifteen) with amendment.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--36.

NAYS--0.

RULE 36--0.

On motion of Senator Saslaw, the following House bills were passed en bloc with their titles:

- H.B. 5041** (five thousand forty-one) with amendments.
- H.B. 5046** (five thousand forty-six) with amendments.
- H.B. 5048** (five thousand forty-eight) with amendment.
- H.B. 5052** (five thousand fifty-two).
- H.B. 5059** (five thousand fifty-nine).
- H.B. 5113** (five thousand one hundred thirteen).

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--36.

NAYS--0.

RULE 36--0.

STATEMENT ON VOTE

Senator Lucas stated that she was recorded as not voting on the question of the passage of **H.B. 5041, H.B. 5046, H.B. 5048, H.B. 5052, H.B. 5059, and H.B. 5113** en bloc, whereas she intended to vote yea.

H.B. 5115 (five thousand one hundred fifteen), on motion of Senator Newman, was passed by for the day.

H.B. 5047 (five thousand forty-seven) was read by title the third time.

The following amendment proposed by the Committee on Commerce and Labor was offered:

1. Line 27, introduced, after *transactions*.
insert

However, a manufacturer, distributor, or licensor who sells, leases, or licenses agricultural goods or services to be resold, leased, or sublicensed by other persons in consumer transactions shall not be considered a "supplier" unless such manufacturer, distributor, or licensor advertises such agricultural goods or services.

The reading of the amendment was waived.

On motion of Senator Saslaw, the amendment was agreed to.

H.B. 5047, on motion of Senator Petersen, was passed by for the day.

H.B. 5064 (five thousand sixty-four) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on General Laws and Technology was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

The reading of the substitute was waived.

On motion of Senator Ebbin, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5064, on motion of Senator Ebbin, was passed with its title.

The recorded vote is as follows:

YEAS--19. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Kiggans, Locke, Marsden, Mason, McClellan, McPike, Petersen, Saslaw, Spruill, Surovell--19.

NAYS--Chafin, Chase, Cosgrove, Dunnavant, Hanger, McDougale, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein--17.

RULE 36--0.

STATEMENT ON VOTE

Senator Lucas stated that she was recorded as not voting on the question of the passage of **H.B. 5064**, whereas she intended to vote yea.

RECONSIDERATION

Senator Petersen moved to reconsider the vote by which **H.B. 5064** (five thousand sixty-four) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--36.

NAYS--0.

RULE 36--0.

H.B. 5064, on motion of Senator Petersen, was passed by for the day.

H.B. 5093 (five thousand ninety-three) was read by title the third time.

The following amendment proposed by the Committee on General Laws and Technology was offered:

1. After line 82, engrossed
insert

2. That the provisions of this act shall expire on June 30, 2023.

The reading of the amendment was waived.

On motion of Senator Barker, the amendment was agreed to.

The amendment was ordered to be engrossed.

H.B. 5093, on motion of Senator Barker, was passed with its title.

The recorded vote is as follows:

YEAS--19. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Locke, Marsden, Mason, McClellan, McPike, Morrissey, Saslaw, Spruill, Stuart, Surovell--19.

NAYS--Chafin, Chase, Cosgrove, Dunnavant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Stanley, Suetterlein--17.

RULE 36--0.

STATEMENT ON VOTE

Senator Lucas stated that she was recorded as not voting on the question of the passage of **H.B. 5093**, whereas she intended to vote yea.

H.B. 5106 (five thousand one hundred six) was read by title the third time.

The following amendments proposed by the Committee on General Laws and Technology were offered:

1. Line 107, engrossed, after *against*
strike

a tenant or

insert

an

2. Line 107, engrossed, after *on*
strike

any adverse item related to

3. Line 112, engrossed, after *determination*,
strike

a

insert

then the landlord shall provide written notice of the denial and the individual's right to assert that his failure to qualify was the result of payment history or an eviction for nonpayment of rent that occurred during the period beginning on March 12, 2020, and ending 30 days after the expiration or revocation of any state of emergency declared by the Governor related to the COVID-19 pandemic. If the landlord does not receive a response from the applicant within three business days, the landlord may proceed with using the information from the report without additional action. If the landlord does receive a response from the applicant asserting such right, the

4. Line 113, engrossed, after *to the*
strike

the remainder of line 113

5. Line 119, engrossed, after *subsection, the*
strike

tenant or

The reading of the amendments was waived.

On motion of Senator Barker, amendments Nos. 1, 2, 4, and 5 were agreed to.

Senator Barker moved that amendment No. 3 be rejected.

The question was put on agreeing to amendment No. 3.

Amendment No. 3 was rejected.

Senator Barker offered the following amendment:

1. Line 112, engrossed, after *determination*,

strike

a

insert

then the landlord shall provide written notice of the denial and the individual's right to assert that his failure to qualify was the result of payment history or an eviction for nonpayment of rent that occurred during the period beginning on March 12, 2020, and ending 30 days after the expiration or revocation of any state of emergency declared by the Governor related to the COVID-19 pandemic. If, in addition to the written notice, the landlord contacts the applicant through email, text message, phone call, or other communication and the tenant asserts that the failure to qualify was not the result of such recent payment history or eviction, the landlord may proceed with using the information from the report. If the landlord does not receive a response from the applicant within three business days, the landlord may proceed with using the information from the report without additional action. If the landlord does receive a response from the applicant asserting such right, the

On motion of Senator Barker, the reading of the amendment was waived.

On motion of Senator Barker, the amendment was agreed to.

The amendments were ordered to be engrossed.

H.B. 5106, on motion of Senator Barker, was passed with its title.

The recorded vote is as follows:

YEAS--20. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hashmi, Howell, Locke, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--20.

NAYS--Chafin, Chase, Cosgrove, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein--16.

RULE 36--0.

STATEMENT ON VOTE

Senator Lucas stated that she was recorded as not voting on the question of the passage of **H.B. 5106**, whereas she intended to vote yea.

HOUSE BILLS ON SECOND READING

Senator Saslaw moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

H.B. 5045 (five thousand forty-five).
H.B. 5050 (five thousand fifty).
H.B. 5109 (five thousand one hundred nine).
H.B. 5029 (five thousand twenty-nine).
H.B. 5043 (five thousand forty-three).
H.B. 5049 (five thousand forty-nine).
H.B. 5051 (five thousand fifty-one).
H.B. 5055 (five thousand fifty-five).
H.B. 5058 (five thousand fifty-eight).
H.B. 5062 (five thousand sixty-two).
H.B. 5068 (five thousand sixty-eight).
H.B. 5069 (five thousand sixty-nine).
H.B. 5072 (five thousand seventy-two).
H.B. 5098 (five thousand ninety-eight).
H.B. 5099 (five thousand ninety-nine).
H.B. 5104 (five thousand one hundred four).
H.B. 5108 (five thousand one hundred eight).
H.B. 5146 (five thousand one hundred forty-six).
H.B. 5148 (five thousand one hundred forty-eight).

The motion was agreed to.

The recorded vote is as follows:
YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--36.

NAYS--0.
RULE 36--0.

On motion of Senator Saslaw, the following House bills were passed by for the day:

H.B. 5045 (five thousand forty-five).
H.B. 5050 (five thousand fifty).
H.B. 5109 (five thousand one hundred nine).
H.B. 5029 (five thousand twenty-nine).
H.B. 5043 (five thousand forty-three).
H.B. 5049 (five thousand forty-nine).
H.B. 5051 (five thousand fifty-one).
H.B. 5055 (five thousand fifty-five).

H.B. 5058 (five thousand fifty-eight).
H.B. 5062 (five thousand sixty-two).
H.B. 5068 (five thousand sixty-eight).
H.B. 5069 (five thousand sixty-nine).
H.B. 5072 (five thousand seventy-two).
H.B. 5098 (five thousand ninety-eight).
H.B. 5099 (five thousand ninety-nine).
H.B. 5104 (five thousand one hundred four).
H.B. 5108 (five thousand one hundred eight).
H.B. 5146 (five thousand one hundred forty-six).
H.B. 5148 (five thousand one hundred forty-eight).

HOUSE JOINT RESOLUTION ON THIRD READING

H.J.R. 5010 (five thousand ten) was read by title the third time and, on motion of Senator Locke, was agreed to.

The recorded vote is as follows:
YEAS--29. NAYS--6. RULE 36--1.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Surovell--29.
NAYS--Chafin, Chase, Obenshain, Pillion, Stuart, Suetterlein--6.
RULE 36--McDougle--1.

MEMORIAL RESOLUTIONS

On motion of Senator Saslaw, the questions on agreeing to the Senate resolutions that follow were considered en bloc.

On motion of Senator Saslaw, the following Senate resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

S.R. 544 (five hundred forty-four).
S.R. 547 (five hundred forty-seven).

S.R. 545 (five hundred forty-five), on motion of Senator Kiggans, was passed by for the day.

S.R. 546 (five hundred forty-six), on motion of Senator Ebbin, was passed by for the day.

S.R. 551 (five hundred fifty-one), on motion of Senator McClellan, was passed by for the day.

COMMENDING RESOLUTIONS

On motion of Senator Saslaw, the questions on agreeing to the Senate resolutions that follow were considered en bloc.

On motion of Senator Saslaw, the following Senate resolutions were taken up, ordered to be engrossed, and agreed to en bloc:

S.R. 549 (five hundred forty-nine).

S.R. 550 (five hundred fifty).

S.R. 542 (five hundred forty-two) was taken up.

Senator McPike offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

Commending Lieutenant Colonel Alexander Semyon Vindman, USA Ret.

On motion of Senator McPike, the reading of the substitute was waived.

On motion of Senator McPike, the substitute was agreed to.

S.R. 542, on motion of Senator McPike, was ordered to be engrossed and was agreed to.

S.R. 548 (five hundred forty-eight), on motion of Senator McClellan, was passed by for the day.

HOUSE BILL ON THIRD READING

H.B. 5087 (five thousand eighty-seven) was taken up.

The amendment was ordered to be engrossed.

Senator McPike moved that **H.B. 5087** be passed with its title.

The question was put on passing **H.B. 5087** with its title.

H.B. 5087 was defeated with its title, having failed to receive the necessary affirmative votes required by Article IV, Section 13, of the Constitution.

The recorded vote is as follows:

YEAS--27. NAYS--10. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Peake, Petersen, Pillion, Saslaw, Spruill, Stanley, Surovell--27.

NAYS--Chafin, Chase, McDougle, Newman, Norment, Obenshain, Reeves, Ruff, Stuart, Suetterlein--10.

RULE 36--0.

HOUSE JOINT RESOLUTION ON THIRD READING RECONSIDERATION

Senator Stanley moved to reconsider the vote by which **H.J.R. 5010** (five thousand ten) was agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--37.

NAYS--0.

RULE 36--0.

H.J.R. 5010, on motion of Senator Stanley, was passed by for the day.

HOUSE BILL ON THIRD READING RECONSIDERATION

Senator Norment moved to reconsider the vote by which **H.B. 5087** (five thousand eighty-seven) was defeated with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--36.

NAYS--0.

RULE 36--0.

H.B. 5087, on motion of Senator Norment, was passed by for the day.

SUPPLEMENTAL CALENDAR NO. 1

SENATE BILL ON FIRST READING

S.B. 5015 (five thousand fifteen) was read by title the first time.

IMMEDIATE CONSIDERATION

Senator Locke moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **S.R. 552** (five hundred fifty-two), the first reading of the title be waived, and the resolution be taken up for immediate consideration.

Senator Locke withdrew the motion.

On motion of Senator Cosgrove, a leave of absence for the day was granted Senator DeSteph on account of pressing personal business.

On motion of Senator Surovell, a leave of absence for the day was granted Senator Lewis on account of pressing personal business.

On motion of Senator McDougle, a leave of absence for the day was granted Senator Vogel on account of pressing personal business.

RECESS

At 2:40 p.m., Senator Saslaw moved that the Senate recess until 2:10 p.m. on Thursday, October 1, 2020.

The motion was agreed to.

The hour of 2:10 p.m. on Thursday, October 1, 2020, having arrived, the Chair was resumed.

On motion of Senator Saslaw, the Senate adjourned until Thursday, October 1, 2020, at 2:15 p.m.

A handwritten signature in black ink, appearing to read "J. Fairfax", written in a cursive style.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar", written in a cursive style.

Susan Clarke Schaar
Clerk of the Senate

THURSDAY, OCTOBER 1, 2020

The Senate met at 2:15 p.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable John J. Bell, Thirteenth Senatorial District, offered the following prayer:

As we come together today, we first give thanks for the beautiful sunshine, for the wonderful weather, as we enjoyed the trip here today. We give thanks for the honor of being here to serve, as we all come together. It is a great honor to serve those in the Commonwealth. We ask that You today give us wisdom, and I read from James 3:17, "But the wisdom that comes from heaven is first of all pure, then peace-loving, considerate, submissive, full of mercy and good fruit, impartial and sincere."

We pray for that wisdom. We ask that You be with those who suffer today from this terrible virus. We ask that You be with our leaders. Bless them at every level, our president, our governor and his wife, and everyone who serves in the General Assembly at every level. We ask that You be with our first responders and those who serve in the military all over the world. We give thanks and we pray in Your name. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Maryann Horch, Senior Systems Analyst, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell.

A quorum was present.

After the roll call, Senator Vogel notified the Clerk of her presence.

On motion of Senator Norment, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--36. NAYS--4. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

NAYS--Deeds, DeSteph, McDougale, Petersen--4.

RULE 36--0.

HOUSE COMMUNICATIONS

The following communications were received:

In the House of Delegates
September 25, 2020

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

S.B. 5042. A BILL to amend and reenact §§ 32.1-127 and 32.1-162.5 of the Code of Virginia, relating to State Board of Health; public health emergency; patient visitation; notice to family; emergency.
EMERGENCY

S.B. 5080. A BILL to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.

S.B. 5081. A BILL to amend the Code of Virginia by adding a section numbered 32.1-37.01, relating to outbreaks of communicable disease of public health threat; posting of information.
EMERGENCY

S.B. 5117. A BILL to amend and reenact § 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of the Governor; executive orders; penalty.

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

S.B. 5029. A BILL to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-1003, 46.2-1013, 46.2-1049, 46.2-1052, 46.2-1053, and 46.2-1054 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic infractions.

S.B. 5033. A BILL to amend and reenact § 19.2-265.3 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-298.02, relating to court authority in criminal cases; prosecutorial discretion to dispose of a criminal case.

S.B. 5035. A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight body.

S.B. 5039. A BILL to amend and reenact §§ 2.2-4343 and 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of Governor; purchase of personal protective equipment during a disaster caused by a communicable disease of public health threat.

S.B. 5088. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

THE HOUSE OF DELEGATES HAS PASSED WITH A SUBSTITUTE WITH AMENDMENT THE FOLLOWING SENATE BILL:

S.B. 5090. A BILL to direct the Commissioner of Health to make certain COVID-19-related data available to the public.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

S.B. 5013. A BILL to amend and reenact § 18.2-250.1 of the Code of Virginia, relating to possession of marijuana; prepay penalty.

S.B. 5031. A BILL to amend and reenact § 2.2-3300 of the Code of Virginia, relating to legal holidays; Juneteenth.

S.B. 5082. A BILL to amend the Code of Virginia by adding a section numbered 8.01-225.03, relating to certain hospices, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability; COVID-19; emergency.
EMERGENCY

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

In the House of Delegates
September 29, 2020

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENT THE FOLLOWING SENATE BILL:

S.B. 5083. A BILL to require each school board to post its COVID-19 virus mitigation plan on its website; emergency.
EMERGENCY

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILL:

H.B. 5005. A BILL to amend and reenact Chapter 1289 of the 2020 Acts of Assembly, which appropriated funds for the 2020-22 Biennium and provided a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2021, and the thirtieth day of June, 2022.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

On motion of Senator Saslaw, the Rules were suspended and the reading of the communications from the House of Delegates was waived.

The recorded vote is as follows:
YEAS--35. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Obenshain, Peake, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--35.
NAYS--Deeds, DeSteph, McDougale, Norment, Petersen--5.
RULE 36--0.

The House bill communicated as passed by the House of Delegates, the first reading of its title required by the Constitution having been dispensed with, was referred as follows:

H.B. 5005 was referred to the Committee on Finance and Appropriations.

INTRODUCTION OF LEGISLATION

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 558. Commending Hilton Elementary School.

Patron--Pillion

S.R. 559. Commending Delby Huff.

Patron--Morrissey

S.R. 560. Celebrating the life of Charles C. Woods.

Patron--Pillion

RECESS

At 2:30 p.m., Senator Norment moved that the Senate recess until 3:35 p.m.

The motion was agreed to.

The hour of 3:35 p.m. having arrived, the Chair was resumed.

CALENDAR

HOUSE BILLS ON THIRD READING

Senator Saslaw moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

H.B. 5045 (five thousand forty-five).

H.B. 5050 (five thousand fifty).

H.B. 5109 (five thousand one hundred nine).

The motion was agreed to.

H.B. 5045 (five thousand forty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 18.2-64.2 of the Code of Virginia, relating to carnal knowledge of a person detained or arrested by a law-enforcement officer or an inmate, parolee, probationer, juvenile detainee, or pretrial defendant or posttrial offender; local or state law-enforcement officer; penalty.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5109 (five thousand one hundred nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-102 and 15.2-1705 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 9.1-112.1, relating to the Department of Criminal Justice Services; law-enforcement officer training and qualifications.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Saslaw moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Saslaw, the following House bills were passed en bloc with their titles:

H.B. 5045 (five thousand forty-five) with substitute.

H.B. 5109 (five thousand one hundred nine) with substitute.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--40.

NAYS--0.

RULE 36--0.

H.B. 5087 (five thousand eighty-seven) was taken up, the committee amendment having been agreed to and ordered to be engrossed on September 25, 2020.

RECONSIDERATION

Senator McPike moved to reconsider the vote by which the committee amendment to **H.B. 5087** (five thousand eighty-seven) was agreed to and ordered to be engrossed.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--40.

NAYS--0.

RULE 36--0.

Senator McPike moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

H.B. 5087, on motion of Senator McPike, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--39.

NAYS--Chase--1.

RULE 36--0.

H.B. 5115 (five thousand one hundred fifteen), on motion of Senator Barker, was passed by temporarily.

H.B. 5050 (five thousand fifty) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws and Technology was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-4343 and 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of Governor; purchase of personal protective equipment during a disaster caused by a communicable disease of public health threat.

The reading of the substitute was waived.

On motion of Senator Barker, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5050, on motion of Senator Barker, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--1.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--Chase--1.

RULE 36--Stanley--1.

On motion of Senator Saslaw, the following House bills were passed by temporarily:

H.B. 5047 (five thousand forty-seven).

H.B. 5064 (five thousand sixty-four).

H.B. 5029 (five thousand twenty-nine).

H.B. 5043 (five thousand forty-three).

H.B. 5049 (five thousand forty-nine).

H.B. 5051 (five thousand fifty-one).

H.B. 5055 (five thousand fifty-five).

H.B. 5058 (five thousand fifty-eight).

H.B. 5062 (five thousand sixty-two).

H.B. 5068 (five thousand sixty-eight).

H.B. 5069 (five thousand sixty-nine).

H.B. 5072 (five thousand seventy-two).

H.B. 5098 (five thousand ninety-eight).

H.B. 5099 (five thousand ninety-nine).

H.B. 5104 (five thousand one hundred four).

H.B. 5108 (five thousand one hundred eight).

H.B. 5146 (five thousand one hundred forty-six).

H.B. 5148 (five thousand one hundred forty-eight).

SENATE BILL ON SECOND READING

S.B. 5015 (five thousand fifteen) was read by title the second time.

The following amendments proposed by the Committee on Finance and Appropriations were offered:

Item 0 #1s

Revenues

Revenues

Language

Language:

Page 1, strike lines 33 through 45, and insert:

	First Year	Second Year	Total
Unreserved Balance, June 30 2020	\$2,874,058,799	\$0	\$2,874,058,799
Additions to Balance	(\$1,293,491,604)	\$29,850,000	(\$1,263,641,604)
Official Revenue Estimates	\$21,353,132,509	\$22,185,484,514	\$43,538,617,023
Transfer	\$599,061,189	\$611,758,189	\$1,210,819,378
Total General Fund Resources Available for Appropriation	\$23,532,760,893	\$22,827,092,703	\$46,359,853,596

Page 2, strike lines 1 through 14, and insert:

	First Year	Second Year	Total
Balance, June 30, 2020	\$7,596,232,598	\$0	\$7,596,232,598
Official Revenue Estimates	\$39,443,320,685	\$39,513,286,327	\$78,956,607,012
Lottery Proceeds Fund	\$657,959,397	\$666,104,670	\$1,324,064,067
Internal Service Fund	\$2,115,253,639	\$2,231,861,108	\$4,347,114,747
Bond Proceeds	\$2,478,004,162	\$195,123,500	\$2,673,127,662
Total Nongeneral Fund Revenues Available for Appropriation	\$52,290,770,481	\$42,606,375,605	\$94,897,146,086
TOTAL PROJECTED REVENUES	\$75,823,531,374	\$65,433,468,308	\$141,256,999,682

Explanation:

(This amendment modifies the front page to reflect changes to resources as adopted by the Senate Finance and Appropriations Committee.)

Legislative Department	FY20-21	FY21-22	
	\$19,544	\$39,088	GF

Language:

Page 5, after line 6, insert:

"Commission on Civil Rights and Policing (881)

27.50 Research, Planning and Coordination	\$19,544	\$39,088	
Fund Sources: General	\$19,544	\$39,088	"

Explanation:

(This amendment provides \$19,544 the first year and \$39,088 the second year for the costs associated with the creation of the Commission on Civil Rights and Policing as created pursuant to SB 5003.)

			Item 42 #1s
Judicial Department	FY20-21	FY21-22	
General District Courts	\$0	\$23,147	GF

Language:

Page 6, line 10, strike "\$130,943,333" and insert "\$130,966,480".

Page 6, line 10, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Pre-Trial, Trial, and Appellate Processes (32100)	\$129,538,848	\$130,943,333	
		<i>\$130,966,480</i>	
Trial Processes (32103)	\$104,727,552	\$106,591,572	
Other Court Costs And Allowances (Criminal Fund) (32104)	\$18,882,131	\$18,422,596	
		<i>\$18,445,743</i>	
Involuntary Mental Commitments (32105)	\$5,929,165	\$5,929,165	
Fund Sources: General	\$129,538,848	\$130,943,333	
		<i>\$130,966,480</i>	

Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-137, 19.2-163 and 37.2-809 et seq., Code of Virginia.

A. Out of the amounts in this Item for Trial Processes shall be paid:

1. The annual salaries of all General District Court judges, \$158,252 from July 1, 2020 to June 9, 2021, \$ 158,252 from June 10, 2021 to June 30, 2022. Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall represent the total compensation for General District Court Judges and incorporate all supplements formerly paid by the various localities.

2. The salaries of substitute judges and court personnel.

B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2020, in the appropriation made in Item 41, Chapter 854, Acts of Assembly of 2019 in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2021.

C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may be transferred between Items 42, 43, 44, and 310, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.

D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.

E. A district court judge shall only be reimbursed for mileage for commuting if the judge has to travel to a courthouse in a county or city other than the one in which the judge resides and the distance between the judge's residence and the courthouse is greater than 25 miles.

F. Upon the retirement or separation from employment of any chief general district court clerks from the 7th judicial district or the 13th judicial district, any vacant chief clerk positions in excess of one chief clerk for each general district court shall be reallocated by the Committee on District Courts to district courts with the highest documented unmet staffing requirements.

G. Included in the appropriation for this item is \$5,732,280 the first year and \$7,596,300 the

second year from the general fund for the Office of the Executive Secretary of the Supreme Court to use, at its discretion, for additional general district court clerk positions, salary increases for general district court clerks, or a combination thereof."

Explanation:

(This amendment provides funding of \$23,147 GF the second year for general district court clerk costs related to staffing pursuant to SB 5043 of the 2020 Special Session 1, as passed the Senate.)

	Item 57 #1s	
Executive Offices	FY20-21	FY21-22
Attorney General and Department of Law	\$69,299 1.00	\$138,598 GF 1.00 FTE

Language:

Page 10, line 42, strike "\$37,064,003" and insert "\$37,133,302".

Page 10, line 42, strike "\$37,064,003" and insert "\$37,202,601".

Page 10, line 42, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Legal Advice (32000)	\$37,064,003	\$37,064,003
	<i>\$37,133,302</i>	<i>\$37,202,601</i>
State Agency/Local Legal Assistance and Advice (32002)	\$37,064,003	\$37,064,003
	<i>\$37,133,302</i>	<i>\$37,202,601</i>
Fund Sources:		
General	\$23,169,033	\$23,169,033
	<i>\$23,238,332</i>	<i>\$23,307,631</i>
Special	\$12,644,138	\$12,644,138
Federal Trust	\$1,250,832	\$1,250,832

Authority: Title 2.2 Chapter 5, Code of Virginia.

A. Out of this appropriation shall be paid:

1. The salary of the Attorney General, \$150,000 the first year and \$150,000 the second year.

2. Expenses of the Attorney General not otherwise reimbursed, \$9,000 each year in equal monthly installments.

3. Salary expenses necessary to provide legal services pursuant to Title 2.2, Chapter 5, Code of Virginia.

B. Out of this appropriation, \$738,536 the first year and \$738,536 the second year from the general fund is designated for efforts to enforce the 1998 Tobacco Master Settlement Agreement and Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia. The Department of Law shall be responsible for enforcement of Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia and the 1998 Tobacco Master Settlement Agreement. The general fund shall be reimbursed on a proportional basis from the Tobacco Indemnification and Community Revitalization Fund and the Virginia Tobacco Settlement Fund for costs associated with the enforcement of the 1998 Tobacco Master Settlement Agreement pursuant to transfers directed by Item 479 and § 3-1.01, Paragraph N of this act.

C. Upon notification by the Attorney General, agencies that administer programs which are funded wholly or partially from nongeneral fund appropriations shall transfer to the Department of Law the necessary funds to cover the costs of legal services that are related to such nongeneral funds. The Attorney General, in consultation with the respective agency heads, shall determine the amounts for transfer. It is the intent of the General Assembly that legal services provided by the Office of the Attorney General for general fund-supported programs shall be provided out of this appropriation.

D. At the request of the Attorney General, the Director, Department of Planning and Budget, shall provide an amount not to exceed \$100,000 per year from the Miscellaneous Contingency Reserve Account to pay the compensation, fees, and expenses of (i) counsel appointed by the Office of the Attorney General in actions brought pursuant to § 15.2-1643, Code of Virginia, to cause court facilities to be made secure, or put in good repair, or rendered otherwise safe, and (ii) counsel representing court personnel, including clerks, judges, and Justices in actions arising out of their official duties.

E.1. Pursuant to Chapter 577 of the Acts of Assembly of 2008, the Office of the Attorney General shall provide legal service in civil matters and consultation and legal advice in suits and other legal actions to soil and water conservation district directors and districts upon the request of those district directors or districts at no charge, inclusive of all fees, expenses, or other costs associated with litigation, excluding the payment of damages.

2. If the Office of the Attorney General is unable to provide legal services to the soil and water conservation districts, and as a result the districts incur costs from retaining other counsel, then the Director of the Department of Planning and Budget shall transfer general fund appropriations from the Office of the Attorney General to the Department of Conservation and Recreation in an amount equal to the cost incurred by the soil and water conservation districts to

be used to reimburse the districts for costs incurred.

F. The Attorney General shall prepare and submit a report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1 of each year detailing expenditures in the prior fiscal year for special outside counsel by any executive branch agencies. The report shall include the reasoning why outside counsel is necessary, the hourly rate charged by outside counsel, total expenditures, and funding source.

G. Except as otherwise specifically provided by law, all legal services of the Office of the Attorney General shall be performed exclusively by (i) an employee of the Office, (ii) an employee of another Virginia governmental entity as may be provided by law, (iii) an employee of a federal governmental entity pursuant to an agreement between the Office of the Attorney General and such federal governmental entity, or (iv) law students or recent law school graduates sponsored by a separate institution with a stipend. Except as otherwise specifically provided under this act, the sole source of compensation paid to employees of the Office of the Attorney General for performing legal services on behalf of the Commonwealth shall be from the appropriations provided under this act. In any case in which the Office of the Attorney General is authorized under law to contract with, hire, or engage a person other than a person described in clauses (i), (ii), (iii), or (iv) to perform legal services on behalf of the Commonwealth, the sole consideration for such legal services shall be a monetary amount bargained for in an arm's length transaction with such person and the Office of the Attorney General or another Virginia governmental entity, stating under what authority that office enters the contract. Only persons described in clauses (i), (ii), (iii), or (iv) shall perform legal services on premises leased by the Office of the Attorney General. Nothing in this paragraph shall prohibit the Office of the Attorney General from entering into a settlement agreement with a defendant arising from a case litigated or prosecuted by a federal governmental entity, local governmental entity, or an Attorney General's Office in another state or United States territory. Nothing in this paragraph shall prohibit the Office of the Attorney General from employing and providing office space to an unpaid intern assisting in performing legal services, provided that such intern does not possess a current license to practice law in the Commonwealth, any other state, or any United States territory."

Explanation:

(This amendment provides funding of \$69,299 GF the first year and \$138,598 GF the second year and 1.0 FTE attorney position to provide legal representation to the Department of Criminal Justice Services for additional decertification hearings pursuant to SB 5030 of the 2020 Special Session 1, as passed the Senate.)

Item 61 #1s

Executive Offices

FY20-21

FY21-22

Attorney General and Department of Law	\$114,709 2.00	\$229,418 2.00	GF FTE
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Language:

Page 11, line 3, strike "\$929,917" and insert "\$1,044,626".
 Page 11, line 3, strike "\$929,917" and insert "\$1,159,335".
 Page 11, line 3, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Personnel Management Services (70400)	\$929,917 \$1,044,626	\$929,917 \$1,159,335
Compliance and Enforcement (70414)	\$929,917 \$1,044,626	\$929,917 \$1,159,335
Fund Sources:		
General	\$853,468 \$968,177	\$853,468 \$1,082,886
Federal Trust	\$76,449	\$76,449

Authority: Title 2.2, Chapter 26, Article 12, and Chapter 39; Title 15.2, Chapter 16, § 15.2-1604, Code of Virginia."

Explanation:

(This amendment provides funding of \$114,709 GF the first year and \$229,418 GF the second year and 2.0 FTE positions to implement the provisions of SB 5024, of the 2020 Special Session 1, as passed the Senate.)

Item 86 #1s

Administration	FY20-21	FY21-22
Department of Elections	(\$2,000,000)	\$0 GF

Language:

Page 16, line 7, strike "\$20,858,038" and insert "\$18,858,038".
 Page 16, strike lines 6 through 48 and insert "Not set out."
 Page 17, strike lines 1 through 60.

Page 18, strike lines 1 through 3.

Explanation:

(This amendment removes duplicative funding and language related to the 2020 general and special elections. Chapter 1, 2020 Special Session 1, Acts of Assembly, amended Chapter 1289, 2020 Acts of Assembly, to provide \$2.0 million GF to reimburse localities for the cost of prepaid postage for the return of mailed absentee ballots, and language governing the administration of absentee ballots and drop-off boxes.)

	Item 112 #1s	
Commerce and Trade	FY20-21	FY21-22
Economic Development Incentive	(\$3,000,000)	(\$3,000,000) GF
Payments	(\$630,000)	(\$261,000) NGF

Language:

Page 23, line 5, strike "\$77,898,533" and insert "\$74,268,533".
 Page 23, line 5, strike "\$55,528,283" and insert "\$52,267,283".
 Page 23, line 5, strike "Not set out." and insert:

Drawn to Chapter 1289

"Economic Development Services (53400)	\$77,898,533	\$55,528,283
	\$74,268,533	\$52,267,283
Financial Assistance for Economic Development (53410)	\$77,898,533	\$55,528,283
	\$74,268,533	\$52,267,283
Fund Sources: General	\$77,118,533	\$55,117,283
	\$74,118,533	\$52,117,283
Special	\$630,000	\$261,000
	\$0	\$0
Dedicated Special Revenue	\$150,000	\$150,000

Authority: Discretionary Inclusion.

A.1. Out of the appropriation for this Item, \$19,750,000 the first year and \$19,750,000 the second year from the general fund shall be deposited to the Commonwealth's Development Opportunity Fund, as established in § 2.2-115, Code of Virginia. Such funds shall be used at the discretion of the Governor, subject to prior consultation with the Chairmen of the House Appropriations and Senate Finance Committees, to attract economic development prospects

to locate or expand in Virginia. If the Governor, pursuant to the provisions of § 2.2-115, E.1., Code of Virginia, determines that a project is of regional or statewide interest and elects to waive the requirement for a local matching contribution, such action shall be included in the report on expenditures from the Commonwealth's Development Opportunity Fund required by § 2.2-115, F., Code of Virginia. Such report shall include an explanation on the jobs anticipated to be created, the capital investment made for the project, and why the waiver was provided.

2. The Governor may allocate these funds as grants or loans to political subdivisions. Loans shall be approved by the Governor and made in accordance with procedures established by the Virginia Economic Development Partnership and approved by the State Comptroller. Loans shall be interest-free unless otherwise determined by the Governor and shall be repaid to the general fund of the state treasury. The Governor may establish the interest rate to be charged, otherwise, any interest charged shall be at market rates as determined by the State Treasurer and shall be indicative of the duration of the loan. The Virginia Economic Development Partnership shall be responsible for monitoring repayment of such loans and reporting the receivables to the State Comptroller as required.

3. Funds may be used for public and private utility extension or capacity development on and off site; road, rail, or other transportation access costs beyond the funding capability of existing programs; site acquisition; grading, drainage, paving, and other activity required to prepare a site for construction; construction or build-out of publicly-owned buildings; grants or loans to an industrial development authority, housing and redevelopment authority, or other political subdivision pursuant to their duties or powers; training; or anything else permitted by law.

4. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

5. It is the intent of the General Assembly that the Virginia Economic Development Partnership shall work with localities awarded grants from the Commonwealth's Development Opportunity Fund to recover such moneys when the economic development projects fail to meet minimal agreed-upon capital investment and job creation targets. All such recoveries shall be deposited and credited to the Commonwealth's Development Opportunity Fund.

6. Up to \$5,000,000 of previously awarded funds and funds repaid by political subdivisions or business beneficiaries and deposited to the Commonwealth's Development Opportunity Fund may be used to assist Prince George County with site improvements related to the

location of a major aerospace engine manufacturer to the Commonwealth.

B.1. Out of the appropriation for this Item, \$5,223,700 the first year and \$4,978,700 the second year from the general fund shall be deposited to the Investment Performance Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5101, Code of Virginia.

2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

C. Out of the appropriation for this Item, \$4,000,000 the first year and \$4,000,000 the second year from the general fund and an amount estimated at \$150,000 the first year and \$150,000 the second year from nongeneral funds shall be deposited to the Governor's Motion Picture Opportunity Fund, as established in § 2.2-2320, Code of Virginia. These nongeneral fund revenues shall be deposited to the fund from revenues generated by the digital media fee established pursuant to § 58.1-1731, et seq., Code of Virginia. Such funds shall be used at the discretion of the Governor to attract film industry production activity to the Commonwealth.

~~D. Out of the appropriation for this Item, \$3,000,000 the first year and \$3,000,000 the second year from the general fund shall be deposited to the Aerospace Manufacturing Performance Grant Fund, and \$630,000 the first year and \$261,000 the second year from the Aerospace Manufacturer Workforce Training Grant Fund is hereby appropriated. These funds shall be used for grants in accordance with §§ 59.1-284.20 and 59.1-284.22, Code of Virginia.~~

E D.1. Out of the appropriation for this Item, \$1,000,000 the first year and \$1,000,000 the second year from the general fund shall be deposited to the Virginia Economic Development Incentive Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5102.1, Code of Virginia.

2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

3. Notwithstanding § 2.2-5102.1.E. or any other provision of law, and subject to appropriation by the General Assembly, up to \$8,000,000 in economic development incentive grants is authorized for eligible projects to be awarded on or after July 1, 2017, but before June 30, 2019. Any eligible project awarded such grants shall be subject to the conditions set forth in § 2.2-5102.1. Any additional grant awards not authorized by this act,

including any awards after June 30, 2019, shall require separate legislation.

~~F~~ E. Out of the appropriation for this Item, \$4,669,833 the first year and \$4,669,833 the second year from the general fund shall be available for eligible businesses under the Virginia Jobs Investment Program. Pursuant to § 2.2-1611, Code of Virginia, the appropriation provided for the Virginia Jobs Investment Program for eligible businesses shall be deposited to the Virginia Jobs Investment Program Fund.

~~G~~ F. Out of the appropriation for this Item, \$500,000 the first year and \$500,000 the second year from the general fund may be provided to the Virginia Economic Development Partnership to facilitate additional domestic and international marketing and trade missions approved by the Governor. The Director, Department of Planning and Budget, is authorized to provide these funds to the Virginia Economic Development Partnership upon written approval of the Governor.

~~H~~ G. Out of the appropriation for this Item, \$20,000,000 the first year from the general fund shall be deposited to the Semiconductor Manufacturing Grant Fund for the award of grants to a qualified semiconductor manufacturing company in a qualified locality in accordance with § 59.1-284.32, Code of Virginia, and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.

~~I~~ H. Out of the appropriation in this Item, \$8,000,000 the first year and \$8,000,000 the second year from the general fund shall be deposited to the Advanced Shipbuilding Production Facility Grant Fund for grants to be paid in accordance with § 59.1-284.29, Code of Virginia.

~~J~~ I. Out of the appropriation in this Item, \$5,310,000 the first year and \$2,900,000 the second year from the general fund shall be deposited to the Special Workforce Grant Fund for grants to be paid in accordance with § 59.1-284.30, Code of Virginia.

~~K~~ J. Out of the appropriation in this Item, \$2,000,000 the first year and \$2,000,000 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants to a qualified truck manufacturing company in a qualified locality in accordance with legislation to be considered by the 2020 General Assembly and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.

~~E~~ K.1. Out of the appropriation in this Item, \$3,230,000 the first year and \$2,993,750 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants in accordance with legislation to be considered by the 2020 General

Assembly.

2. Of the amounts deposited to the fund, \$2,500,000 the first year and \$2,500,000 the second year may be awarded as grants to a qualified pharmaceutical company in a qualified locality pursuant to the legislation and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.

3. Of the amounts deposited to the fund, \$730,000 the first year and \$493,750 the second year may be awarded as grants to a comprehensive community college and a baccalaureate public institution of higher education in or near the eligible county pursuant to the legislation.

~~M.L.~~ Out of the appropriation in this Item, \$500,000 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants to a qualified advanced production company in a qualified locality in accordance with legislation to be considered by the 2020 General Assembly and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.

~~N.M.1.~~ Out of the amounts in this item, \$425,000 the first year and \$825,000 the second year from the general fund shall be deposited to the Governor's New Airline Service Incentive Fund to assist in the provision of marketing, advertising, or promotional activities by airlines in connection with the launch of new air passenger service at Virginia airports, and to incentivize airlines that have committed to commencing new air passenger service in Virginia, pursuant to the provisions of § 2.2-2320.1, Code of Virginia.

2. Notwithstanding the provisions of § 2.2-2320.1, Code of Virginia, 25 percent of the annual appropriation to the Governor's New Airline Service Incentive Fund shall be set aside for projects in Virginia commercial airports with less than 400,000 enplanements per calendar year for the purposes of economic development in these areas. Enplanement data shall come from the Federal Aviation Administration."

Explanation:

(This amendment removes appropriations for economic development incentive payments related to the Rolls-Royce facility in Prince George County. The facility is closing due to a COVID-related drop in demand in the aerospace industry. Upon enrolling, Item 112 will be set out and enrolled appropriately.)

	Item 131 #1s	
Commerce and Trade	FY20-21	FY21-22
Virginia Employment Commission	\$325,000	\$325,000
	5.00	5.00
		GF FTE

Language:

Page 33, line 9, strike "\$555,338,468" and insert "\$555,663,468".

Page 33, line 9, strike "\$552,133,812" and insert "\$552,458,812".

Page 33, line 9, strike "Not set out." and insert:

Drawn to Chapter 1289

"Workforce Systems Services (47000)	\$555,338,468	\$552,133,812
	<i>\$555,663,468</i>	<i>\$552,458,812</i>
Job Placement Services (47001)	\$31,718,264	\$31,718,264
Unemployment Insurance Services (47002)	\$522,735,822	\$519,531,166
	<i>\$523,060,822</i>	<i>\$519,856,166</i>
Workforce Development Services (47003)	\$884,382	\$884,382
Fund Sources: <i>General</i>	<i>\$325,000</i>	<i>\$325,000</i>
Special	\$8,931,271	\$8,931,271
Trust and Agency	\$546,407,197	\$543,202,541

Authority: Title 60.2, Chapters 1 through 6, Code of Virginia.

A. Revenues deposited into the Special Unemployment Compensation Administration Fund shall be used for the purposes set out in the following order of priority: 1) to make payment of any interest owed on loans from the U.S. Treasury for payment of unemployment compensation benefits; 2) to support essential services of the Commission, particularly in the event of reductions in federal funding; 3) to finance the cost of capital projects; and 4) to fund the discretionary fund established in § 60.2-315, Code of Virginia. Funding may be transferred from the capital budget to the operating budget consistent with this language.

B.1. Reed Act funds distributed by the Employment Security Financing Act of 1954 with respect to the federal fiscal years 1956, 1957, and 1958 and credited to the agency from the proceeds related to the sale of agency property with federal equity are hereby appropriated (up to \$600,000) to maintain service levels in the agency's local offices.

2. Reed Act funds distributed by the Balanced Budget Act of 1997 and credited to the unemployment trust fund with respect to federal fiscal years 2000, 2001, and 2002, under § 1103 of the Social Security Act (42 U.S.C.), as amended, shall be used only for the administration of the unemployment compensation program, under the direction of the Virginia Employment Commission, and shall not be subject to the requirements of § 60.2-305, Code of Virginia. Reed Act funds from the Balanced Budget Act are hereby appropriated (up to \$2.2 million, not to exceed the balance of said Reed Act funds) to pay for upgrading the information technology systems at the Virginia Employment Commission.

C. There is hereby appropriated out of the funds made available to this state under § 1103 of the Social Security Act (42 U.S.C.) as amended, the balance of the \$51,067,866 of Reed Act funds, if any, provided in Item 120 E. of Chapter 847, 2007 Acts of Assembly, for upgrading obsolete information technology systems, to include staff costs. This appropriation is subject to the provisions of § 60.2-305, Code of Virginia. Savings as a result of the new systems shall be retained by the commission.

D. Notwithstanding any other provision of law, all fees incurred by the Virginia Employment Commission with respect to the collection of debts authorized to be collected under § 2.2-4806 of the Code of Virginia, using the Treasury Offset Program of the United States, shall become part of the debt owed the Commission and may be recovered accordingly.

E. Workforce development programs shall give priority to assisting Medicaid enrollees who are required to participate in the Training, Education, Employment and Opportunity Program to the extent allowed by federal law.

F. The Governor shall have the authority to alter the administration of the provisions of the Virginia Unemployment Compensation Act, Title 60.2 of the Code of Virginia, to meet the exigencies of a health emergency crisis.

G. Out of the amounts in this item, \$325,000 the first year and \$325,000 the second year from the general fund is provided to support five positions responsible for investigating and responding to legislative and judicial inquiries."

Explanation:

(This amendment provides \$325,000 GF each year and five positions that will be responsible for investigating and responding to legislative and judicial inquiries of the VEC. Upon enrolling, Item 131 will be set out and enrolled appropriately.)

Item 144 #1s

Education

Direct Aid to Public Education

Language

Language:

Page 36, strike line 3, and insert:

"Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)	\$45,771,554	\$44,194,141
General Management and Direction (49901)	\$45,771,554	\$44,194,141
Fund Sources:		
General	\$45,771,554	\$44,194,141

Authority: Discretionary Inclusion.

Appropriation Detail of Educational, Cultural, Community, and Artistic Affairs (14300)

Supplemental Education Assistance Programs FY 2021 (14304)	FY 2021	FY 2022
Achievable Dream	\$500,000	\$500,000
Active Learning Grants	\$250,000	\$0
American Civil War Museum	\$1,000,000	\$0

Black History Museum and Cultural Center of Virginia	\$1,300,000	\$0
Blue Ridge PBS	\$500,000	\$500,000
Bonder and Amanda Johnson Community Development Corporation	\$100,000	\$0
Brooks Crossing Innovation and Opportunity Center	\$250,000	\$250,000
Career and Technical Education Regional Centers	\$660,000	\$660,000
Career and Technical Education Resource Center	\$298,021	\$298,021
Career Council at Northern Neck Career & Technical Center	\$60,300	\$60,300
Chesterfield Recovery High School	\$250,000	\$250,000
College Partnership Laboratory School	\$50,000	\$50,000
Communities in Schools (CIS)	\$2,004,400	\$2,004,400
Computer Science Teacher Training	\$550,000	\$550,000
Early Childhood Educator Incentive	\$3,000,000	\$5,000,000
Emil and Grace Shihadeh Innovation Center	\$250,000	\$0
Great Aspirations Scholarship Program (GRASP)	\$500,000	\$500,000
Jobs for Virginia Graduates (JVG)	\$2,243,776	\$2,243,776
Literacy Lab - VPI Minority Educator Fellowship	\$300,000	\$0
National Board Certification Program	\$5,021,609	\$5,009,196
Newport News Aviation Academy - STEM Program	\$100,000	\$0
Newport News - Soundscapes	\$90,000	\$0
Petersburg Executive Leadership Recruitment Incentives	\$350,000	\$350,000
Positive Behavioral Interventions & Support (PBIS)	\$1,598,000	\$1,598,000
Power Scholars Academy - YMCA BELL	\$1,000,000	\$1,000,000
Praxis and Virginia Communication and Literacy Assessment Assistance for Provisionally Licensed Minority Teachers	\$50,000	\$50,000
Project Discovery	\$962,500	\$962,500
School Program Innovation	\$500,000	\$500,000
Small School Division Assistance	\$145,896	\$145,896
Southside Virginia Regional Technology Consortium	\$108,905	\$108,905
Southwest Virginia Public Education Consortium	\$124,011	\$124,011

STEM Program / Research Study (VA Air & Space Center)	\$681,975	\$681,975
STEM Competition Team Grants	\$200,000	\$200,000
Targeted Extended/Enriched School Year and Year-round School Grants	\$7,763,312	\$7,763,312
Teach for America	\$500,000	\$500,000
Teacher Improvement Funding Initiative	\$15,000	\$15,000
Teacher Recruitment & Retention Grant Programs	\$2,181,000	\$2,181,000
Teacher Residency Program	\$1,750,000	\$1,750,000
Van Gogh Outreach Program	\$71,849	\$71,849
Virginia Early Childhood Foundation (VECF)	\$6,250,000	\$6,250,000
Virginia Reading Corps	\$600,000	\$600,000
Virginia Student Training and Refurbishment (VA STAR) Program	\$300,000	\$300,000
Vision Screening Grants	\$391,000	\$391,000
Vocational Lab Pilot	\$175,000	\$0
Western Virginia Public Education Consortium	\$50,000	\$50,000
Wolf Trap Model STEM Program	\$725,000	\$725,000
Total	\$45,771,554	\$44,194,141

A. Out of this appropriation, the Department of Education shall provide \$2,243,776 the first year and \$2,243,776 the second year from the general fund for the Jobs for Virginia Graduates initiative.

B. Out of this appropriation, the Department of Education shall provide \$124,011 the first year and \$124,011 the second year from the general fund for the Southwest Virginia Public Education Consortium at the University of Virginia's College at Wise. An additional \$71,849 the first year and \$71,849 the second year from the general fund is provided to the Consortium to continue the Van Gogh Outreach program with Lee and Wise County Public Schools and expand the program to the twelve school divisions in Southwest Virginia.

C. This appropriation includes \$108,905 the first year and \$108,905 the second year from the general fund for the Southside Virginia Regional Technology Consortium to expand the research and development phase of a technology linkage.

D. An additional state payment of \$145,896 the first year and \$145,896 the second year from

the general fund is provided as a Small School Division Assistance grant for the City of Norton. To receive these funds, the local school board shall certify to the Superintendent of Public Instruction that its division has entered into one or more educational, administrative or support service cost-sharing arrangements with another local school division.

E. Out of this appropriation, \$298,021 the first year and \$298,021 the second year from the general fund shall be allocated for the Career and Technical Education Resource Center to provide vocational curriculum and resource instructional materials free of charge to all school divisions.

F. It is the intent of the General Assembly that the Department of Education provide bonuses from state funds to classroom teachers in Virginia's public schools who hold certification from the National Board of Professional Teaching Standards. Such bonuses shall be \$5,000 the first year of the certificate and \$2,500 annually thereafter for the life of the certificate. This appropriation includes an amount estimated at \$5,021,609 the first year and \$5,009,196 the second year from the general fund for the purpose of paying these bonuses. By October 15 of each year, school divisions shall notify the Department of Education of the number of classroom teachers under contract for that school year that hold such certification.

G. This appropriation includes \$2,181,000 the first year and \$2,181,000 the second year from the general fund for grants, scholarships, and incentive payments to attract, recruit, and retain high-quality teachers and fill critical teacher shortage disciplines in Virginia's public schools.

1. Out of this appropriation, \$708,000 the first year and \$708,000 the second year from the general fund is provided for teaching scholarship loans. These scholarships shall be for undergraduate students in college with a cumulative grade point average of at least 2.7 on a 4.0 scale or its equivalent, who are nominated by their Virginia regionally accredited college or university, and who meet the criteria and qualifications, pursuant to § 22.1-290.01, Code of Virginia, except as provided herein. Awards shall be made to students who are enrolled full-time or part-time in approved undergraduate or graduate teacher education programs for the top ten critical teacher shortage disciplines, however minority students may be enrolled in any content area for teacher preparation. Upon program completion, scholarship recipients may fulfill the scholarship loan obligation by teaching in the public schools of the Commonwealth in the first full academic year after becoming eligible for a renewable teaching license in the appropriate endorsement area and teaching for at least two years in a school division (i) in one of the critical teacher shortage disciplines as established by the Board of Education; or (ii) in a Virginia public school with 50 percent or more of the students eligible for free or reduced price lunch; or (iii) in a school division designated critical shortage subject area, as defined in the Board of Education's Regulations Governing the Determination of Critical Teacher Shortage Areas. Scholarship recipients who only complete one year of the teaching obligation shall be forgiven for one-half of the scholarship loan amount. Scholarship amounts are based on up to \$10,000 per year for full-time students, and shall be prorated for part-time students based on the number of credit hours. The Department of Education shall report annually on the critical

shortage teaching areas in Virginia.

a. The Department of Education shall make payments on behalf of the scholarship recipients directly to the Virginia institution of higher education where the scholarship recipient is enrolled full-time or part-time in an approved undergraduate or graduate teacher education program.

b. The Department of Education is authorized to recover total funds awarded as scholarships, or the appropriate portion thereof, in the event that scholarship recipients fail to honor the stipulated teaching obligation.

c. Within the fiscal year, any funds not awarded from this program may be applied toward the other teacher preparation, recruitment, and retention programs under paragraph G.

2. Out of this appropriation, \$808,000 the first year and \$808,000 the second year from the general fund is provided to attract, recruit, and retain high-quality diverse individuals to teach science, technology, engineering, or mathematics (STEM) subjects in Virginia's middle and high schools experiencing difficulty in recruiting qualified teachers. Eligible teachers must (i) be employed full-time in a Virginia school division or school with more than 40 percent of the students eligible for free or reduced price lunch; (ii) be entering their first, second, or third year of teaching experience; and (iii) hold a five- or ten-year valid Virginia teaching license with an endorsement in Middle Education 6-8: Mathematics, Mathematics-Algebra-I, Mathematics, Middle Education 6-8: Science, Biology, Chemistry, Earth and Space Science, Physics, Engineering, or Technology Education and be assigned to a teaching position in a corresponding STEM subject area. Selected eligible teachers will receive a \$5,000 incentive award after the completion of each year of full-time teaching experience, up to three consecutive years under the grant, in an eligible school division or school with a satisfactory performance evaluation and a written commitment to return in the same school division for the following school year. The maximum incentive award for each eligible teacher is \$15,000. Eligibility for these incentives shall be determined through an application process whereby school divisions shall apply to the Department of Education. Priority for distribution of these incentives shall be to school divisions experiencing the most acute difficulties in recruiting qualified teachers, as determined using Department of Education criteria. For the purpose of the award of the additional \$1,000 to individuals who received funds under this program prior to July 1, 2018, the criteria provided in Chapter 1, 2018 Acts of Assembly, Special Session I, shall continue to apply through fiscal year 2021. For individuals who received funds under this program prior to July 1, 2020, the criteria provided in Chapter 854, 2019 Acts of Assembly, shall continue to apply. Within the fiscal year, any funds not awarded from this program may be applied toward the other teacher preparation, recruitment, and retention programs under paragraph G.

3. Out of this appropriation, \$415,000 the first year and \$415,000 the second year from the general fund is provided to help school divisions recruit and retain qualified middle-school

mathematics teachers. Within the fiscal year, any funds not awarded from this program may be applied toward the other teacher preparation, recruitment, and retention programs under paragraph G.

4. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is provided for tuition scholarships to be specifically allocated solely for licensed public high school teachers pursuing additional credentialing requirements necessary to be considered faculty who are qualified to teach dual enrollment courses in high schools in their local school division. The Department of Education shall make payments on behalf of the scholarship recipients directly to the *regionally accredited* Virginia institution of higher education where the scholarship recipient is enrolled ~~full-time or part-time in an approved undergraduate or graduate teacher education program~~ *in courses for credit* applicable to dual enrollment course curriculum available for public high school students. The lifetime maximum dual enrollment tuition scholarship award for each approved eligible teacher is \$7,500. Eligibility for access to these dual enrollment tuition scholarship awards shall be determined through an application process whereby school divisions shall apply to the Department of Education. In the application process, the applying school division shall include: i) an explanation of why such dual enrollment tuition scholarship is warranted, ii) the dual enrollment course or courses that shall be offered by the scholarship recipient's high school and taught by the recipient upon the recipient's successful completion of required coursework for appropriate credentialing to teach such dual enrollment courses, and iii) the projected student enrollment in the recipient taught public high school dual enrollment courses. The Department of Education shall compile and report the application information for each applying school division, and shall also report the number of recipients and amount of tuition awarded to each school division, the institution of higher education receiving tuition, the credentialing area pursued by recipients, and dual enrollment courses offered after the recipient's successful completion of the pursued credentialing. The Department shall submit the report by June 30, 2020, and annually thereafter, to the House Committees on Education and Appropriations and the Senate Committees on Finance and Education and Health.

H. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be distributed to the Great Aspirations Scholarship Program (GRASP) to provide students and families in need access to financial aid, scholarships, and counseling to maximize educational opportunities for students.

I. Out of this appropriation, the Department of Education shall provide \$2,004,400 the first year and \$2,004,400 the second year from the general fund to Communities in Schools. These funds shall be used to strengthen and sustain existing programming in Hampton Roads, Northern Virginia, Petersburg, Richmond City, and Southwest Virginia and to expand programming to new schools. Further, Communities in Schools is directed to assist the Community School organization with developing opportunities to establish a Community School program in interested school divisions.

J. Out of this appropriation, the Department of Education shall provide \$962,500 the first year and \$962,500 the second year from the general fund for Project Discovery. These funds are towards the cost of the program in Abingdon, Accomack/Northampton, Alexandria, Amherst, Appomattox, Arlington, Bedford, Bland, Campbell, Charlottesville, Cumberland, Danville/Pittsylvania, Fairfax, Franklin/Patrick, Fredericksburg/Spotsylvania, Goochland/Powhatan, Lynchburg, Newport News, Norfolk, Richmond City, Roanoke City, Smyth, Surry/Sussex, Tazewell, Williamsburg/James City, and Wythe and the salary of a fiscal officer for Project Discovery. The Department of Education shall administer the Project Discovery funding distributions to each community action agency. Distributions to each community action agency shall be based on performance measures established by the Board of Directors of Project Discovery. The contract with Project Discovery should specify the allocations to each local program and require the submission of a financial and budget report and program evaluation performance measures.

2. Each participating community action agency shall submit annual performance metrics for services provided through the Project Discovery program that provide measurable evaluations and outcomes of participating students. Such performance metrics shall include evidenced-based data that effectively measure academic improvement outcomes. In addition, the performance metrics shall also include evidenced-based data to evaluate the specific effectiveness of the program for participating students on a longitudinal basis. Further, the performance metrics shall include the coordination and collaboration efforts the program staff regularly have with the school-based personnel, such as teachers and guidance counselors, that support and maximize opportunities of participating students to successfully graduate from high school and then to enroll and graduate from an institution of higher learning. Project Discovery shall submit a comprehensive and cumulative program performance metrics evaluation to the Department of Education no later than October 1 each year.

K. Out of this appropriation, the Department of Education shall provide \$300,000 the first year and \$300,000 the second year from the general fund for the Virginia Student Training and Refurbishment Program.

L. Out of this appropriation, \$1,598,000 the first year and \$1,598,000 the second year from the general fund is provided to expand the number of schools implementing a system of positive behavioral interventions and supports with the goal of improving school climate and reducing disruptive behavior in the classroom. Such a system may be implemented as part of a tiered system of supports that utilizes evidence-based, system-wide practices to provide a response to academic and behavioral needs. Any school division which desires to apply for this competitive grant must submit a proposal to the Department of Education by June 1 preceding the school-year in which the program is to be implemented. The proposal must define student outcome objectives including, but not limited to, reductions in disciplinary referrals and out-of-school suspension rates. In making the competitive grant awards, the Department of Education shall give priority to school divisions proposing to serve schools identified by the Department as having high suspension rates. No funds awarded to a school division under this grant may be

used to supplant funding for schools already implementing the program.

M. Targeted Extended/Enriched School Year and Year-round School Grants Payments

1. Out of this appropriation, \$7,150,000 the first year and \$7,150,000 the second year from the general fund is provided for a targeted extended/enriched school year or year-round school incentive in order to improve student achievement. Annual start-up grants of up to \$300,000 per school may be awarded for a period of up to two years after the initial implementation year. The per school amount may be up to \$400,000 in the case of schools that have an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators, or schools that had an Accredited with Conditions status and were rated at Level Three in two or more Academic Achievement for All Students school quality indicators when the initial application was made. Schools that qualified for the per school grant up to \$400,000 under the previous Standards of Accreditation Denied Accreditation status remain eligible for funding for the initial three year period; after that period, such schools are subject to eligibility under the current Standards of Accreditation. After the third consecutive year of successful participation, an eligible school's grant amount shall be based on a shared split of the grant between the state and participating school division's local composite index. Such continuing schools shall remain eligible to receive a grant based on the 2012 JLARC Review of Year Round Schools' researched base findings.

2. Except for school divisions with schools that are in an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators or in a Denied Accreditation status, any other school division applying for such a grant shall be required to provide a twenty percent local match to the grant amount received from either an extended/enriched school year or year-round school start-up or planning grant.

3. In the case of any school division with schools that are in an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators or in a Denied Accreditation status that apply for funds, the school division shall also consult with the Superintendent of Public Instruction or designee on all recommendations regarding instructional programs or instructional personnel prior to submission to the local board for approval.

4. Out of this appropriation, \$613,312 the first year and \$613,312 the second year from the general fund is provided for planning grants of no more than \$50,000 each for local school divisions pursuing the creation of new extended/enriched school year or year-round school programs for divisions or individual schools in support of the findings from the 2012 JLARC Review of Year Round Schools. School divisions must submit applications to the Department of Education by August 1 of each year. Priority shall be given to schools based on need, relative to the state accreditation ratings or similar federal designations. Applications shall include evidence of commitment to pursue implementation in the upcoming school year. If balances exist, existing extended school year programs may be eligible to apply for remaining funds.

5. A school division that has been awarded an extended/enriched school year or year-round school start-up grant or planning grant for the development of an extended/enriched school year or year-round school program may spend the awarded grant over two consecutive fiscal years.

6. a) Any such school division receiving funding from a Targeted Extended/Enriched School Year and Year-round School grant shall provide an annual progress report to the Department of Education that evaluates end of year success of the extended/enriched school year or year-round school model implemented as compared to the prior school year performance as measured by an appropriate evaluation matrix no later than September 1 each year.

b) The Department of Education shall develop such evaluation matrix that would be appropriate for a comprehensive evaluation for such models implemented. Further, the Department of Education is directed to submit the annual progress reports from the participating school divisions and an executive summary of the program's overall status and levels of measured success to the Chairmen of House Appropriations and Senate Finance Committees no later than November 1 each year.

7. Any funds remaining in this paragraph following grant awards may be disbursed by the Department of Education as grants to school divisions to support innovative approaches to instructional delivery or school governance models.

N. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is provided through grants or contracts for the cost of fees and financial incentives associated with hiring teachers in challenged schools. These funds may be used for grants or contracts awarded and expenses associated with supporting the Teach for America program. School divisions or their partners may apply for those funds through applications submitted to the Department of Education. Applications must be submitted to the Department of Education by September 1 each year. Within the fiscal year, any unobligated balance may be used for the Teacher Residency program.

O. Out of this appropriation, \$725,000 the first year and \$725,000 the second year from the general fund is provided for the Accomack, Albemarle, Arlington, Chesterfield, Fairfax, Henrico, Loudoun, Norfolk, Petersburg, Richmond, Suffolk, and Wythe Public Schools to continue or initiate STEM and early literacy model programs for preschool, kindergarten, and first grade students. The model will also support growth in the 5C skills identified in the Profile of a Virginia Graduate. Within this appropriation, funds may support further expansion in rural divisions from Regions 3, 6, or 8, based on need. Each developed model will focus on enhancing children's learning experiences through the arts.

P. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is provided for the Achievable Dream partnership with Newport News School Division.

Q. Out of this appropriation, \$1,750,000 the first year and \$1,750,000 the second year from the general fund is provided for grants for teacher residency partnerships between university teacher preparation programs and the Petersburg, Norfolk, and Richmond City school divisions and any other university teacher preparation programs and hard-to-staff school divisions to help improve new teacher training and retention for hard-to-staff schools. The grants will support a site-specific residency model program for preparation, planning, development and implementation, including possible stipends in the program to attract qualified candidates and mentors. Applications must be submitted to the Department of Education by August 1 each year.

Partner school divisions shall provide at least one-third of the cost of each program and shall provide data requested by the university partner in order to evaluate program effectiveness by the mutually agreed upon timelines. Each university partner shall report annually, no later than June 30, to the Department of Education on available outcome measures, including student performance indicators, as well as additional data needs requested by the Department of Education. The Department of Education shall provide, directly to the university partners, relevant longitudinal data that may be shared. The Department of Education shall consolidate all submissions from the participating university partners and school divisions and submit such consolidated annual report to the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1 each year.

R. Out of this appropriation, \$60,300 the first year and \$60,300 the second year from the general fund is provided to the Northern Neck Regional Technical Center to expand the workforce readiness education and industry based skills and certification development efforts supporting that region in the state. These funds support the Center's programs that serve high school students from the surrounding counties of Essex, Lancaster, Northumberland, Rappahannock, Westmoreland and Colonial Beach.

S. Out of this appropriation, \$6,250,000 the first year and \$6,250,000 the second year from the general fund is provided to the Virginia Early Childhood Foundation.

1. Of this amount, \$250,000 the first year and \$250,000 the second year is provided for general operations of the Foundation's grant program to strengthen the capacity of local communities to promote school readiness for young children through innovative regional partnerships.

2. Of this amount, \$1,000,000 the first year and \$1,000,000 the second year is provided to operate a scholarship program to increase the skills of Virginia's early education workforce.

3. Of this amount, \$5,000,000 the first year and \$5,000,000 the second year from the general fund is provided for a pilot initiative to support public-private delivery of pre-kindergarten services for at least 500 at-risk three- and four-year-old children each year. Programs must provide full-day or half-day and, at least, school-year services.

- a) The Department of Education shall establish academic standards that are in accordance with appropriate preparation for students to be ready to successfully enter kindergarten. These standards shall be established in such a manner as to be measurable for student achievement and success. Students shall be required to be evaluated in the fall and in the spring by each participating provider and grantees must certify that the Virginia Preschool Initiative standards are followed in order to receive the funding for quality preschool education and criteria for the service components. Such standards shall align with the Virginia Standards of Learning for Kindergarten.
- b) The Department of Education shall require and ensure that all participating classrooms have the quality of their teacher-child interactions assessed through a rigorous and research-based observation instrument at least once every two years.
- c) Any locality that desires to participate in this grant program must submit a proposal each year to the Virginia Early Childhood Foundation. For the first year, the application must be submitted by August 15. For subsequent years, the application must be submitted by May 15 to align with the Virginia Preschool Initiative timeline. Each application shall identify a lead agency for this program within the locality. The lead agency shall be responsible for developing a local plan for the delivery of quality preschool services to at-risk three- and four-year-old children in private settings that demonstrates the coordination of resources and the combination of funding streams in an effort to serve the greatest number of at-risk children.
- d) The proposal must demonstrate: (i) coordination with all parties necessary for the successful delivery of comprehensive services, including schools, child care providers, local social services agencies, Head Start, local health departments, and other groups identified by the lead agency, (ii) a plan for supporting inclusive practices for children with identified special needs, and (iii) a plan to transition the pilot into a sustainable program that is supported with a similar level of state support as Virginia Preschool Initiative slots.
- e) Local plans must indicate the number of at-risk three- and four-year-old children to be served, and the eligibility criteria for participation in this program shall be consistent with the economic and educational risk factors stated in the current program guidelines that are specific to: (i) family income at or below 200 percent of federal poverty guidelines, (ii) homelessness, (iii) student's parents or guardians are school dropouts, or (iv) family income is above 200 percent but at or below 350 percent of federal poverty guidelines in the case of students with special needs or disabilities. Up to 15 percent of slots may be filled based on locally established eligibility criteria so as to meet the unique needs of at-risk children in the community.
- f) Notwithstanding any provisions of § 22.1-299, Code of Virginia, and in order to achieve the priorities of the Joint Subcommittee on Early Childhood Care and Education for exploring the feasibility of and barriers to mixed delivery preschool systems in Virginia, recipients of a Mixed-Delivery Preschool grant shall be provided maximum flexibility within their respective pilot initiative in order to fully implement the associated goals and objectives of the pilot.

Recipients of a Mixed-Delivery Preschool grant and divisions participating in such grant pilot activities shall be exempted from all regulatory and statutory provisions related to teacher licensure requirements and qualifications when paid by public funds within the confines of the Mixed-Delivery Preschool pilot initiative.

g) Children served by the pilots shall be assigned student identification numbers as provided in § 22.1-287.03 B of the Code of Virginia to evaluate pilot program outcomes and to permit comparison with Virginia Preschool Initiative outcomes.

h) Pilot providers shall provide information to the Department of Education as necessary to fulfill the reporting requirement established.

T. This appropriation includes \$500,000 the first year and \$500,000 the second year from the general fund to support ten competitive grants, not to exceed \$50,000 each, for planning the implementation of systemic Elementary, Middle, and/or High School Program Innovation by either individual school divisions or consortia of school divisions or implementing a plan for public pre-kindergarten through Grade 12 School Program Innovation previously approved by the Department of Education. The local applicant(s) selected to conduct this systemic approach to school reform, in consultation with the Department of Education, will develop and plan or implement innovative approaches to engage and to motivate students through personalized learning and instruction leading to demonstrated mastery of content, as well as skills development of career readiness. Essential elements of school innovation include: (1) student centered learning, with progress based on student demonstrated proficiency; (2) 'real-world' connections that promote alignment with community work-force needs and emphasize transition to college and/or career; and (3) varying models for educator supports and staffing. Individual school divisions or consortia will be invited to apply on a competitive basis by submitting a grant application that includes descriptions of key elements of innovations, a detailed budget, expectations for outcomes and student achievement benefits, evaluation methods, and plans for sustainability. The Department of Education will make the final determination of which individual school divisions or consortia of divisions will receive the year-long planning grant for public pre-kindergarten through Grade 12 School Innovation or a grant to implement an Elementary, Middle, and/or High School Program Innovation plan previously approved by the Department of Education. Any school division or consortium of divisions which desires to apply for this competitive grant must submit a proposal to the Department of Education by June 1 preceding the school year in which the planning or implementation for systemic school innovation is to take place.

U. Out of this appropriation, \$100,000 the first year from the general fund is provided to support the Newport News Aviation Academy's four-year high school STEM program, which focuses on piloting, aircraft maintenance, engineering, computers, and electronics.

V. Out of this appropriation, \$15,000 the first year and \$15,000 the second year is provided for grants to school divisions of up to \$5,000 each to explore alternative teacher compensation

approaches that move away from tenure-based step increases toward compensation systems based on teacher performance and student progress. Priority will be given to school divisions that have not previously explored alternative compensation approaches and have schools not achieving full accreditation, or that have high numbers of at-risk students needing qualified teachers in hard-to-staff subjects.

W. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund is provided for STEM Competition Team Grants. Notwithstanding § 22.1-362, Code of Virginia, Paragraph B, grants may not exceed \$5,000 each.

X. Out of this appropriation, \$681,975 the first year and \$681,975 the second year from the general fund is provided to support a multi-platform STEM education engagement program and research study, via the Virginia Air & Space Center.

Y. Out of this appropriation, \$350,000 the first year and \$350,000 the second year from the general fund is provided for executive leadership incentives in the Petersburg City Public Schools to strengthen the impact of division and school level executive leadership on student achievement in the school division. Such incentives may include, but not be limited to, supplements to locally funded salaries, deferred salary compensation, bonuses, housing and commuting supplements, and professional development supplements. The Department of Education shall provide such executive management incentive payments directly to the Petersburg City Public Schools accounts pursuant to a Memorandum of Understanding entered into between the Board of Education and the Petersburg City School Board, which shall cover no less than both years of the biennium and may be amended with the consent of both parties. Such Agreement shall include operational and student achievement metrics and include provisions for the achievement of such metrics as a condition of payment of the incentive funds by the Department of Education. The Department of Education shall provide updates on the Agreement to the Chairmen of the Senate Finance and House Appropriations Committees.

Z. Out of this amount, \$600,000 the first year and \$600,000 the second year from the general fund shall be reserved for school divisions to partner with the Virginia Reading Corps program. The implementation partner shall determine and select partner school divisions. The Virginia Reading Corps shall report annually to the school divisions and Department of Education on the outcomes of this program.

AA. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund is provided for Chesterfield County Public Schools to partner and plan with Virginia State University for the continued development of a College Partnership Laboratory School in support of Ettrick Elementary School.

BB. Out of this appropriation, \$175,000 the first year from the general fund is provided to establish a Career and Technical Education Vocational Laboratory pilot that will be located within the Virginia Aviation Academy located in the Newport News school division. This

vocational-based lab will be developed and focused on advanced, augmented and virtual reality related education.

CC. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund is provided for praxis assistance and Virginia Communication and Literacy Assessment assistance for provisionally licensed minority teachers seeking full licensure in Virginia. Grants of up to \$10,000 shall be awarded to school divisions, teacher preparation programs, or nonprofit organizations in all regions of the state to subsidize test fees and the cost of tutoring for provisionally licensed minority teachers seeking full licensure in Virginia.

DD. Out of this appropriation, \$391,000 the first year and \$391,000 the second year from the general fund is provided to school divisions to pay for a portion of the vision screening of students in kindergarten, grade two or three and grades seven and ten, pursuant to Chapter 312, 2017 Session Acts of Assembly. Eligible school divisions may receive the state's share of \$7.00 for each student reported in average daily membership and enrolled in kindergarten, grades three, seven and ten and who has received such vision screening test. The Department of Education shall administrator and distribute reimbursements to school divisions and the funding shall be prorated if needed, such that the appropriation is not exceeded. Prioritization shall be given the schools that would most benefit from state assistance in order to provide such vision screening service to students that are eligible for free lunch.

EE. Out of this appropriation, \$660,000 the first year and \$660,000 the second year from the general fund is provided for annual grants of \$60,000 to each of the nine regional career and technical centers, Winchester Public Schools' Innovation Center and Norfolk Public Schools' Norfolk Technical Center, to expand workforce readiness education and industry based skills.

FF. 1. Out of this appropriation, \$550,000 the first year and \$550,000 the second year from the general fund is provided to CodeVA for the development, marketing, and implementation of high-quality and effective computer science training and professional development activities for public school teachers throughout the Commonwealth for the purpose of improving the computer science literacy of all public school students in the Commonwealth using the Computer Science Standards of Learning For Virginia Public Schools, which were reviewed and endorsed by the Virginia Board of Education in November 2017. The provided funds may be utilized for planning, preparing and materials needed for teacher training sessions provided during the biennium.

2. CodeVA shall report, no later than October 1, each year to the Chairmen of the House Education and Senate Education & Health Committees, Secretary of Education and the Superintendent of Public Instruction on its activities in the previous year to support computer science teacher training and curriculum development, including on collaboration with other stakeholders to avoid duplication of efforts.

GG. Out of this appropriation, \$1,000,000 the first year from the general fund is provided to the

American Civil War Museum to support the advancement of experiential learning opportunities for K-12 students. These funds are intended to support high-quality, off-site learning experiences for students to engage in educational content, aligned to Virginia's Standards of Learning, related to the history of the American Civil War.

HH. Out of this appropriation, \$1,300,000 the first year from the general fund is provided to the Black History Museum and Cultural Center of Virginia to support the advancement of experiential learning opportunities for K-12 students. These funds are intended to support high-quality, off-site learning experiences and traveling exhibitions for students to engage in educational content, aligned to Virginia's Standards of Learning, related to African American History.

II. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund is provided to the Western Virginia Public Education Consortium. Funds shall be used to support the consortium's annual job fair and professional development conferences for teachers and administrators from the consortium's 23 member local school divisions.

JJ. To strengthen quality and reduce turnover in hard-to-serve preschool classrooms, \$3,000,000 the first year and \$5,000,000 the second year from the general fund shall be used to supplement the Early Childhood Educator Incentive created through the Preschool Development Grant Birth to Five. The Virginia Department of Education shall set the specific guidelines for the program and funds.

KK. Out of this appropriation, \$250,000 the first year from the general fund shall be provided for grants to school divisions to encourage active learning for students in pre-kindergarten through the second grade. School divisions seeking to apply for this grant shall submit a proposal to the Department of Education outlining the intended use of funds and a projected number of students to be served. The Department shall establish criteria for awarding these funds. The funds may be used to purchase a platform featuring on-demand adventures that transform math and English Standards of Learning content into movement-rich activities. The Department of Education shall summarize the grants awarded, identifying the recipient school divisions, intended use of funds, and number of students served. Such summary shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020.

LL. Out of this appropriation, \$500,000 each year from the general fund is provided to Blue Ridge PBS for educational outreach programming.

MM. Out of this appropriation, \$100,000 the first year from the general fund is provided for the Bonder and Amanda Johnson Community Development Corporation for programming and outreach efforts.

NN. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the

general fund is provided for the Brooks Crossing Innovation and Opportunity Center in Newport News to purchase industry-related equipment, training simulators and software to support career training, wealth building, and individual casework.

OO. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is provided to the Chesterfield County School Board to assist with establishing a recovery high school as a year-round high school with enrollment open to any high school student residing in Superintendent's Region 1 who is in the early stages of recovery from substance use disorder or dependency. Students in the high school will be provided academic, emotional, and social support needed to progress toward earning a high school diploma and reintegrating into a traditional high school setting. The Chesterfield County School Board shall submit a report regarding the planning, implementation, and outcomes of the recovery high school to the Chairs of the House Appropriations and Senate Finance and Appropriations Committee by December 1 each year.

PP. Out of this appropriation, \$250,000 the first year from the general fund is provided to Winchester Public Schools for one-time support for furniture and equipment for the renovated Emil and Grace Shihadeh Innovation Center.

QQ. Out of this appropriation, \$300,000 the first year from the general fund is provided for a fellowship program administered by the Literacy Lab to place recent high-school graduates of a minority background new to the field of education in VPI or Head Start classrooms of participating local school divisions or community-based early childhood centers to provide evidence based literacy support to at-risk pre-kindergarten students. Such a program must provide training, coaching, and professional development to the fellowship participants, place fellowship participants for at least 800 paid hours within a pre-kindergarten classroom during a school year, work to diversify the educator pipeline, and assist fellowship participants in understanding the teacher education and licensure process in Virginia. Literacy Lab shall partner with school divisions or community-based early childhood centers in Richmond and Portsmouth. Literacy Lab shall report by August 1, 2021 to the Chairs of the House Education and Senate Education and Health Committees, Secretary of Education, and the Superintendent of Public Instruction on its activities to provide training, coaching, and professional development to the fellowship participants, including collaboration with school division partners and community-based early childhood centers, and provide metrics on the success of participants entering the educator pipeline either through employment or a teacher preparation program.

RR. Out of this appropriation, \$90,000 the first year from the general fund is provided to Newport News Public Schools for the Soundscapes social intervention programs.

SS. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund is provided to support pilot-public partnerships between local school divisions and the Greater Richmond and Central Virginia affiliates of the Virginia Alliance of YMCAs to

expand student participation opportunities in existing summer Power Scholars Academies in such partnered school divisions."

Explanation:

(This amendment sets out Item 144 and adds clarifying language, in Paragraph G.4., that the Dual Enrollment Tuition Scholarships Grant funds are for teachers taking courses applicable toward meeting dual enrollment teaching requirements. The current language requires enrollment in a teacher preparation program, which is not applicable for teachers seeking to teach dual enrollment courses. The Department of Education recommended this change to the General Assembly in RD228 - Report on Dual Enrollment Tuition Scholarships Grant Program.)

	Item 145 #1s	
Education	FY20-21	FY21-22
Direct Aid to Public Education	\$95,300,000	\$0 NGF

Language:

Page 36, line 5, strike "\$7,732,305,702" and insert "\$7,827,605,702".
 Page 73, after line 27, insert:

"43. COVID-19 Local Relief Payments

a. Out of this appropriation, an amount estimated at \$95,300,000 the first year from the COVID-19 Relief Fund, established in § 2.2-115.1., Code of Virginia shall be distributed to local school divisions as COVID-19 Local Relief payments in support of the Standards of Quality.

b. Notwithstanding § 2.2-115.1., Code of Virginia, the State Comptroller shall distribute the COVID-19 Local Relief payments in the first year based on the net reduction of state funds apportioned to school divisions in this item. The distribution shall be made in monthly payments at the end of each month. Certification of payments and distribution shall be made by the State Comptroller.

c. For the purposes of calculating Required Local Expenditure as defined in this Item, COVID-19 Local Relief payments shall be counted as a credit toward the local share of the costs of the Standards of Quality in the first year."

Explanation:

(This amendment provides \$95.3 million the first year from the COVID-19 Relief Fund, established in § 2.2-115.1., Code of Virginia, to be disbursed to local school divisions as COVID-19 Local Relief payments in support of the Standards of Quality. These payments will be distributed to local school divisions based on the net reduction of state funds apportioned to school divisions in this item and counted as a credit toward the local share of the costs of the Standards of Quality in the first year.)

Item 293.10 #1s

Health and Human Resources

Children's Services Act

Language

Language:

Page 108, line 7, unstrike "293.10" and insert:

"No community policy management team receiving and disbursing funds under the Children's Services Act to pay for a student's placement in a private school serving students with disabilities shall reduce, unless mutually agreed upon, any previously agreed upon daily or monthly rate for the 2020-21 school year as long as the student's placement is in a private school serving students with disabilities that is continuing to provide a free and appropriate public education. Full or partial transition to remote learning or telehealth services due to a pandemic or declaration of a public health emergency by the Governor shall not be considered grounds for reducing a previously agreed upon daily or monthly rate or terminating or voiding a contract or purchase service order, nor shall it be grounds for amending a previously agreed upon individualized education plan (IEP) for a student with disabilities."

Explanation:

(This amendment adds language prohibiting the reduction of private day school rates for students with disabilities due to the use of remote learning or telehealth services during a pandemic or declared public health emergency.)

Item 299 #1s

Health and Human Resources

Department of Health

Language

Language:

Page 109, after line 3, insert:

"I. The State Health Commissioner shall ensure that residents and employees of any nursing home or assisted living facility receive first priority for any testing indicating the existence of the COVID-19 virus in the Commonwealth. The Commissioner shall make available public

health testing, if necessary, in order to ensure that nursing homes or assisted living facilities have access to testing that can provide the most rapid results in order to prevent or contain outbreaks of COVID-19. Such testing shall be provided, as needed, by the Division of Consolidated Laboratory Services or other public health testing agencies of the Commonwealth. Any testing costs through the public health system for employees or residents of nursing homes or assisted living facilities may be billed to responsible third-parties."

Explanation:

(This amendment provides for residents and employees of nursing facilities or assisted living facilities to have priority in testing for COVID-19 to help prevent or contain outbreaks in such long-term care facilities, where the most vulnerable and fatal impacts from COVID-19 have occurred to date. Item 299 will be set out during the enrolling process.)

Item 312 #1s

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	(\$3,111,848)	(\$4,210,186)	GF
Services	(\$7,276,560)	(\$7,818,918)	NGF

Language:

Page 110, line 33, strike "\$251,771,102" and insert "\$241,382,694".
 Page 110, line 32, strike "\$270,236,306" and insert "\$258,207,202".

Explanation:

(This amendment captures savings in the Family Access to Medical Insurance Security (FAMIS) program from lower managed care rates that took effect on July 1, 2020. Rates for the Medallion 4.0 program decreased 5.49 percent for base Medicaid and 5.72 percent for expansion Medicaid.)

Item 313 #1s

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	(\$56,144,433)	(\$73,451,682)	GF
Services	(\$56,144,433)	(\$73,451,682)	NGF

Language:

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,246,511,910".
 Page 111, line 27, strike "\$17,137,554,276" and insert "\$16,990,650,912".

Explanation:

(This amendment captures savings in the Medicaid program from lower managed care rates that

took effect on July 1, 2020. Rates for the Medallion 4.0 program decreased 5.49 percent for base Medicaid and 5.72 percent for expansion Medicaid. For the Commonwealth Coordinated Plus program the rates declined 0.12 percent for base Medicaid and 0.39 percent for expansion Medicaid.)

Item 313 #2s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

"MMMMM. The Department of Planning and Budget shall transfer from Item 317 to this Item an appropriation necessary to cover the administrative costs for managed care organizations to implement the live-in caretaker exemption required pursuant to Senate Bill 5116 approved in the 2020 Special Session I."

Explanation:

(This amendment directs the Department of Planning and Budget to transfer appropriation from the Department of Medical Assistance Services (DMAS) administrative budget the funds necessary to adjust the administrative portion of the managed care capitation rates to reflect the increase in administrative costs for providing a live-in caretaker exemption to the electronic visit verification requirement pursuant to Senate Bill 5116. DMAS' administrative budget has sufficient funding to cover these costs.)

Item 313 #3s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services (DMAS) shall modify the disbursement methodology for the State's allocation of federal CARES Act funding to nursing facilities and assisted living facilities to define eligible costs for reimbursement from this funding as COVID-related costs incurred since March 12, 2020, or as far back as the CARES Act allows."

Explanation:

(This amendment directs the Department of Medical Assistance Services to modify the disbursement rules for the \$20 million in state-allocated CARES Act funding for assisted living

facilities and approximately \$33 million in state-allocated CARES Act funding for nursing facilities to remove an impediment to providers' access to these funds. The current limit on only using incurred costs from July 1, 2020 forward leaves substantial unreimbursed COVID-costs from the inception of the crisis for both assisted living and nursing facilities being excluded from reimbursement.)

Item 313 #4s

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance Services	(\$625,000) \$625,000	(\$2,500,000) \$2,500,000	GF NGF

Language:

Page 112, line 32, strike "\$472,802,840" and insert "\$473,427,840".
 Page 112, line 33, strike "\$486,936,557" and insert "\$489,436,557".

Explanation:

(This amendment reflects the additional revenue estimated at \$625,000 the first year and \$1.5 million the second year from the Other Tobacco Products tax through the application of nexus standards for out-of-state dealers. The introduced budget for the Special Session included language clarifying the policy but did not include a revenue estimate. In addition, revenue of \$1.0 million the second year is assumed for the provision included in the introduced budget applying the tobacco products tax to heated tobacco products at a rate of 2.25 cents per stick beginning January 1, 2021. The introduced budget assumed no additional revenue from this policy change. This amendment captures the revenue, which is deposited to the Health Care Fund that supports the state match for Medicaid. Therefore, the increase in revenue offsets state general funds that are otherwise required to fund the Medicaid program.)

Item 313 #5s

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance Services	\$0 \$0	(\$7,093,377) (\$7,093,377)	GF NGF

Language:

Page 111, line 27, strike "\$17,137,554,276" and insert "\$17,123,367,522".

Explanation:

(This amendment redirects \$7.1 million the second year from the general fund provided in the 2020 Session for 350 developmental disability (DD) waiver slots in fiscal year 2022 to fund an increase in provider rates. The COVID-19 pandemic has placed additional stress on DD waiver

providers. The rate increase approved in the 2020 Session was unallotted in April and then eliminated in the Governor's proposed budget for the Special Session. The dual impact of these actions make a provider rate increase necessary to ensure the viability of DD waiver providers. The General Assembly will have the opportunity to reconsider funding for these waiver slots in the 2021 Session. A separate amendment in Central Appropriations directs funding, contingent on additional state general fund revenue above the forecast, for the 350 waiver slots.)

Item 313 #6s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 144, line 26, after "IIIII." insert "1."

Page 144, line 26, after "Effective", strike "January" and insert "July".

Page 144, after line 45, insert:

"2. The Department of Planning and Budget shall have the authority to transfer appropriation from Item 317 to Item 316 in this act, as needed, to fund the administrative costs of implementing the new Medicaid dental benefit for adults if the existing appropriation in item 316 is insufficient."

Explanation:

(This amendment changes the effective date of the new Medicaid adult dental benefit from January 1, 2021 to July 1, 2021, to reflect the restoration of funding, which is included in a separate amendment in Item 482.20. In addition, budget language is added to provided authority to move funding from the administrative program of the agency to cover the increased costs of the dental benefits administrator related to the new dental benefit.)

Item 313 #7s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 141, line 55, after "Effective,", strike "July 1, 2020" and insert "January 1, 2021".

Explanation:

(This amendment changes the effective date for the allowance of overtime by consumer-directed personal care attendants from July 1, 2020 to January 1, 2021 to reflect the restoration of funding for this policy change in a separate amendment to Item 482.20.)

Item 313 #8s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 137, line 2, after "July 1,", strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date from July 1, 2020 to July 1, 2021 for the elimination of the 40 quarter work requirement for lawful permanent residents to qualify for Medicaid to reflect the restoration of funding for this policy change in the second year, which is reflected in a separate amendment to Item 482.20.)

Item 313 #9s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 138, line 20, after "Effective July 1,", strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date for the increase in Medicaid developmental disability provider rates from July 1, 2020 to July 1, 2021 to reflect the partial restoration of funding in the second year for the rate change, which is included in a separate amendment to Item 482.20.)

Item 313 #10s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 139, line 55, after "July 1," strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date from July 1, 2020 to July 1, 2021 for the limitation on Medicaid managed care reimbursement for durable medical equipment to reflect the restoration of funding for this policy change in the second year, which is included in a separate

amendment to Item 482.20.)

Item 313 #11s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 141, line 21, after "July 1,", strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date for the increase in Medicaid rates for anesthesiologists from July 1, 2020 to July 1, 2021 to reflect the restoration of funding for this rate change, which is included in a separate amendment to Item 482.20.)

Item 313 #12s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 141, line 50, after "July 1,", strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date for the rate increase for skilled and private duty nursing services in Medicaid from July 1, 2021 to July 1, 2021 to reflect the partial restoration of funding included in a separate amendment in Item 482.20.)

Item 313 #13s

Health and Human Resources

FY20-21

FY21-22

Department of Medical Assistance
Services

\$11,152,785
\$11,152,785

\$0 GF
\$0 NGF

Language:

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,381,106,346".

Page 145, line 14, after "effective", strike "for the period of the" and insert "until June 30, 2021".

Page 145, line 15, strike "Governor's Declaration of a State of Emergency due to COVID-19".

Explanation:

(This amendment adds \$11.2 million from the general fund and \$11.2 million in matching federal Medicaid funds to extend the \$20 per day add-on to Medicaid nursing and specialized care facility rates to June 30, 2021, to provide stability to the nursing home industry during the COVID-19 crisis. The funding includes the estimated cost of the \$20 a day for the last quarter of fiscal year 2021 and assumes the prior costs are included in the 2020 Official Medicaid Forecast.)

Item 313 #14s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 132, strike lines 24 through 27, and insert:

"9. The Department of Planning and Budget shall create a new Service Area in this Item for Program 45600, appropriately named, and transfer the appropriation included in this Item for graduate medical education residency slots to this new service area. The appropriation in the new service area shall be excluded from the Official Medicaid Forecast."

Explanation:

(This amendment creates a new service area to account for the funding provided to hospitals to support graduate medical residency slots. It also directs the Department of Planning and Budget to transfer \$3.1 million the first year and \$3.9 million the second year to the new service area. Language clarifies that this appropriation in this new service area is not included as part of the Official Medicaid Forecast.)

Item 313 #15s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

"MMMM. The Department of Medical Assistance Services shall submit a request to amend its 1915(c) Home and Community-Based Services (HCBS) waivers with an Emergency Preparedness and Response Appendix K to the Centers for Medicare and Medicaid Services to allow telehealth and virtual and/or distance learning for Group Day, Supported Employment and Benefits Planning services for the duration of the Governor's declared state of emergency due to the COVID-19 pandemic. The department shall have the authority to implement this change prior to the completion of the regulatory process."

Explanation:

(This amendment directs the Department of Medical Assistance Services to submit a waiver to the Centers for Medicare and Medicaid Services to allow telehealth and virtual and/or distance learning for Group Day, Supported Employment and Benefits Planning Services for the duration of the Governor's declared state of emergency due to the COVID-19 pandemic. The Appendix K will allow recipients to maintain skills, and to learn new skills including expanded socialization opportunities during the COVID-19 pandemic. Many Group Day programs closed in March 2020 and Supported Employment and Benefits Planning services are being minimally provided because of health and safety concerns.)

Item 315 #1s

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance Services	(\$2,322,022) (\$5,429,678)	(\$3,252,087) (\$6,039,591)	GF NGF

Language:

Page 145, line 30, strike "\$221,663,925" and insert "\$213,912,225".
Page 145, line 29, strike "\$237,496,600" and insert "\$228,204,922".

Explanation:

(This amendment captures savings in the Medicaid Children's Health Insurance Program from lower managed care rates that took effect on July 1, 2020. Rates for the Medallion 4.0 program decreased 5.49 percent for base Medicaid and 5.72 percent for expansion Medicaid.)

Item 320 #1s

Health and Human Resources	FY20-21	FY21-22	
Department of Behavioral Health and Developmental Services	\$116,612 2.00	\$233,224 2.00	GF FTE

Language:

Page 147, line 23, strike "\$123,177,138" and insert "\$123,293,750".
Page 147, line 23, strike "\$110,597,199" and insert "\$110,830,423".

Explanation:

(This amendment provides \$116,612 the first year and \$233,224 the second year from the general fund to the Department of Behavioral Health and Developmental Services for two staff to oversee implementation of a mental health awareness response system pursuant to Senate Bill 5038. Item 320 will be set out during the enrolling process.)

Item 320 #2s

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 147, after line 23, insert:

"HH. Out of this appropriation, \$940,000 the first year and \$940,000 the second year from the general fund shall be provided to Commonwealth Autism Services to assist in coordination of services for people with developmental disabilities in regards to autism assessments and services in Virginia."

Explanation:

(This amendment sets out in language the long-standing passthrough grant that the Department of Behavioral Health and Developmental Services has been providing to Commonwealth Autism Services since fiscal year 2010. This technical language change ensures the department complies with state procurement rules. Item 320, to which this amendment adds a paragraph, will be set out upon enrolling.)

Item 322.10 #1s

Health and Human Resources

Grants to Localities

Language

Language:

Page 148, line 18, unstrike "322.10".

Page 148, line 39, unstrike:

"Notwithstanding the provisions of Chapters 607 and 683, 2017 Acts of Assembly, and."

Page 148, unstrike lines 40 through 44.

Explanation:

(This amendment restores language that was inadvertently stricken in the introduced budget which eliminates the requirement that Community Services Boards and Behavioral Health Authorities increase STEP-VA services beyond those that are funded in Chapter 854, 2019 Acts of Assembly, unless an appropriation is available and an allotment of funds is made. The budget passed in March provided additional funding for outpatient services, peer support services, expanded crisis services and military and veteran's mental health services through STEP-VA, and when funding was unallotted in April due to the COVID-19 pandemic, language was added eliminating the requirement to proceed with implementation of these services. The introduced budget for the Special Session eliminates funding for these additional services through STEP-

VA.)

Item 356 #1s

Health and Human Resources	FY20-21	FY21-22	
Department of Social Services	\$750,000	\$750,000	NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$61,107,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,957,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$750,000 the first year and \$750,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Cornerstones to provide wrap-around services that solve urgent or on-going requirements for housing, childcare, food or financial assistance that address the needs of families. The contract shall require Cornerstones to report annually on outcomes."

Explanation:

(This amendment provides \$750,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Cornerstones, a human services agency, to support their wrap-around services to families in Northern Virginia.)

Item 356 #2s

Health and Human Resources	FY20-21	FY21-22	
Department of Social Services	\$250,000	\$250,000	NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$60,607,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,457,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Portsmouth Volunteers for the Homeless to provide wrap-around services for homeless individuals."

Explanation:

(This amendment provides \$250,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Portsmouth Volunteers for the Homeless to support wrap-around services for homeless individuals.)

Item 356 #3s

Health and Human Resources	FY20-21	FY21-22	
Department of Social Services	\$125,000	\$125,000	NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$60,482,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,332,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Menchville House to provide supportive services for homeless individuals."

Explanation:

(This amendment provides \$125,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Menchville House to provide supportive services for homeless individuals.)

Item 356 #4s

Health and Human Resources	FY20-21	FY21-22	
Department of Social Services	\$125,000	\$125,000	NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$60,482,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,332,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Family Restoration Services of Hampton to provide supportive services to families in need."

Explanation:

(This amendment provides \$125,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Family Restoration Services of Hampton to provide supportive services to families in need.)

Item 372 #1s

Natural Resources

Secretary of Natural Resources

Language

Language:

Page 173, strike line 2 through line 9.

Explanation:

(This amendment removes language directing the Secretaries of Natural Resources and Agriculture and Forestry to develop a plan to require landfill operators to pay a solid waste disposal fee.)

Item 373 #1s

Natural Resources	FY20-21	FY21-22	
Department of Conservation and Recreation	\$0	(\$3,825,400)	GF

Language:

Page 173, line 17, strike "\$99,567,156" and insert "\$95,741,756".

Page 176, line 51, strike "\$34,175,400" and insert "\$30,350,000".

Explanation:

(This amendment reflects changes to the amount calculated for a mandatory deposit to the Water Quality Improvement Fund resulting from a correction in the Commonwealth's final balance sheet for fiscal year 2020. A companion amendment to Item 0 corrects the general fund resources and amendment totals resulting from the balance sheet correction.)

Item 374 #1s

Natural Resources

Department of Conservation and Recreation

Language

Language:

Page 177, line 4, strike "Not set out." and insert:
Amendment drawn to Chapter 1289

"Leisure and Recreation Services (50400)	\$74,050,589	\$73,177,420
Preservation of Open Space Lands (50401)	\$16,650,193	\$16,650,193
Design and Construction of Outdoor Recreational Facilities (50403)	\$894,593	\$894,593
State Park Management and Operations (50404)	\$50,006,739	\$49,873,570

Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)	\$6,499,064	\$5,759,064
Fund Sources:		
General	\$37,572,732	\$36,699,563
Special	\$27,511,003	\$27,511,003
Dedicated Special Revenue	\$3,717,124	\$3,717,124
Federal Trust	\$5,249,730	\$5,249,730

Authority: Title 10.1, Chapters 1, 2, 3, 4, 4.1, and 17; Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5, and 7, Code of Virginia.

A.1. Included in the amounts for Preservation of Open Space Lands is \$10,000,000 the first year and \$10,000,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund, § 10.1-1020, Code of Virginia. No less than 50 percent of the appropriations remaining after the transfer to the Virginia Outdoors Foundation's Open-Space Lands Preservation Trust fund has been satisfied are to be used for grants for fee simple acquisitions with public access or acquisitions of easements with public access. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.

2. Included in the amounts for Preservation of Open Space Lands is \$1,500,000 the first year and \$1,500,000 the second year from nongeneral funds to be deposited into the Virginia Land Conservation Fund to be distributed by the Virginia Land Conservation Foundation pursuant to the provisions of § 58.1-513, Code of Virginia.

3. The Department of Conservation and Recreation and the Virginia Outdoors Foundation shall review the Hayfields Farm property, consisting of approximately 1,034.7 acres more or less in Highlands County, Virginia, Tax Parcel #68A17 and #68A18A, located at 524 Hayfields Lane in McDowell, and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020 on its suitability as a recreational area pursuant to §10.1-200 et. seq., Code of Virginia, for development as a state or regional park. In its review, the agencies shall consider (i) management of the area or park by a combination of public and private entities; (ii) potential user activities at the area or park including but not limited to camping, fishing, hiking, bird watching, equestrian activities, and biking; and (iii) operation of the area or park with only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of the property's conservation values and natural resources.

B. Included in the amounts for Preservation of Open-Space Lands is \$1,752,750 the first year and \$1,752,750 the second year from the general fund and \$1,900,000 the first year and \$1,900,000 the second year from nongeneral funds for the operating expenses of the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia).

C.1. Out of the amounts appropriated for State Parks Management and Operations, up to \$275,000 the first year and \$275,000 the second year from the general fund shall be paid for the operation and maintenance of Breaks Interstate Park.

2. The Breaks Interstate Park Commission shall submit an annual audit of a fiscal and compliance nature of its accounts and transactions to the Auditor of Public Accounts, the Director, Department of Conservation and Recreation, and the Director, Department of Planning and Budget.

3. The Breaks Interstate Park Commission shall, following the modernization of the Breaks Interstate Park electrical system, enter into negotiations to transfer control of the electrical system serving the park to a local regional electric utility.

D. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the State Park Conservation Resources Fund may be used for a program of in-state travel advertising. Such travel advertising shall feature Virginia State Parks and the localities or regions in which the parks are located. To the extent possible the department shall enter into cooperative advertising agreements with the Virginia Tourism Authority and local entities to maximize the effectiveness of expenditures for advertising. The department is further authorized to enter into a cooperative advertising agreement with the Virginia Association of Broadcasters.

E. Upon completion of the construction of the Daniel Boone Wilderness Trail Interpretative Center, the Division of State Parks may accept transfer of the facility, 153 acres of land, and \$450,000 for maintenance of the completed facility for operation as a satellite facility to Natural Tunnel State Park. It is the intent of the General Assembly that at such time as the facility, property, and cash are transferred to the Division of State Parks that positions and ongoing funding for the operation of the satellite facility shall be provided.

F. The department is hereby authorized to enter into an agreement with the non-profit organization that currently owns Natural Bridge to open and operate the facility as a Virginia State Park. Included in the amount for this item is \$376,364 the first year and \$376,364 and five positions from the general fund to increase the operational capacity of Natural Bridge State Park including additional visitor experience, retail, and maintenance functions.

G. Notwithstanding any other provision of the Code of Virginia, as a condition of the expenditure of all amounts included in this item, the department shall not initiate or accept by gift, transfer or purchase with nongeneral funds any new lands for use as a State Park or Natural Area Preserve without a specific appropriation for such purpose by the General Assembly. However, the department is authorized to acquire land as expressly set out in Items C-27 and C-27.10 of Chapter 854, 2019 Acts of Assembly, as well as in-holdings or lands contiguous to an existing State Park or Natural Area Preserve as expressly set out in Items C-40 and C-41 of this act and as provided for in Section 4-2.01 a.1. of this act provided further that acquisitions authorized in Items C-40 and C-41 will not cause the department to incur additional operating expenses. It is not the intent of these provisions to prohibit any acquisitions resulting from mitigation settlements or to prohibit any additional operating expenses resulting from such

acquisitions.

H.1. Included in the amounts for State Park Management and Operations is \$590,944 the first year and \$590,944 the second year and six positions from the general fund for the initial start-up and ongoing operational costs for Phase I of Widewater State Park in Stafford County. It is the intent of the General Assembly that, as soon as practicable upon completion of Phase 1A, that the Department shall provide public access and proceed to regular revenue generating operations at the Park.

2. The Department of Conservation and Recreation shall collaborate with Stafford County Public Schools, the Friends of Widewater State Park and other interested stakeholders regarding the Science and Environmental Center at Widewater State Park planned to be constructed as part of Phase III in order to ensure the facility is adequate to meet the needs of the community, curriculum collaboration opportunities with local schools, and other needs; determine whether any design changes would further community environmental education goals; determine the availability of any grant, charitable or co-funding opportunities with Stafford County and/or Virginia higher educational institutions; determine the feasibility and costs of any design changes or the necessity of any Master Plan changes; and produce recommendations, if any, relating to such objectives.

I. Included in the amount for this item is \$198,752 the first year and \$198,752 the second year and two positions from the general fund to support the limited operation of Seven Bends State Park.

J. Included in the amount for this item is \$150,000 the first year and \$150,000 the second year from the nongeneral fund amounts appropriated in Item 451 A. for recreational access which shall be used to fabricate and install Supplemental Guide Signs for Virginia State Parks.

K. The department is hereby authorized to enter into an agreement with the United States Forest Service that owns the Longdale Day Use Area to operate the facility as the Green Pastures Unit of Douthat State Park, an extension of Douthat State Park.

L. The Department of Conservation and Recreation shall review the Brandy Station and Cedar Mountain properties and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020 on their suitability as a historical and recreational area pursuant to § 10.1-200 et. seq., Code of Virginia, or development as a state or regional park. In its review, the Department shall consider (i) management of the area or park by a combination of public and private entities; (ii) potential user activities at the area or park including heritage tourism, primitive camping, fishing, bow hunting, boating, equestrian activities, biking and historical and military education; and (iii) operation of the area or park with only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of existing historic, cultural, archaeological, and natural resources.

M. Included in the amounts for this item is \$160,800 the first year and \$160,800 the second year and two positions from the general fund to support staffing and operations at Mason Neck State

Park.

N. The Director, Department of Conservation and Recreation, shall assess the feasibility of costs of (i) connecting Mason Neck State Park to a public water supply, and (ii) replacing equipment and providing necessary upgrades to the Park's current well water system. The Director shall report the findings and recommendations of the assessment to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15, 2020.

O. Included in the amount for this item, \$740,000 the first year from the general fund is provided to the City of Danville to develop Riverfront Park. This amount shall be matched by a local appropriation of at least \$740,000 prior to any disbursement from this Item.

P. The Department of Conservation and Recreation shall, no later than November 1, 2021, provide to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations an assessment of the feasibility for development of a linear park along the Shenandoah Valley rail corridor from Front Royal to Broadway, Virginia. The assessment shall include the potential timeline for abandonment of existing Norfolk Southern rail sections B51.0 to B84.0 and CW84.0 to CW99.5, anticipated annual user revenues, and all start-up and ongoing costs of operation as a satellite facility of Seven Bends and Shenandoah State Parks. The Departments of Transportation and Rail and Public Transportation shall provide any technical assistance as may be required in developing the cost assessment."

Explanation:

(This amendment directs the Department of Conservation and Recreation to assess the feasibility of the establishment of a linear park near Seven Bends State Park.)

Item 377 #1s

Natural Resources

Department of Environmental Quality

Language

Language:

Page 179, strike line 49 through line 57 and insert:

"L. The Department shall convene a workgroup of affected stakeholders, including representatives from the regulated industry, local governments and members of the public, to produce recommendations for the Governor and General Assembly regarding the water quality enhancement fee that pursuant to § 62.1-44.15:35 is no longer required to be paid as of September 1, 2020 and Department oversight of nutrient credit use in the Commonwealth. Such recommendations shall be provided to the Governor and General Assembly by December 1, 2020."

Explanation:

(This amendment removes the Governor's proposed continuation of the water quality enhancement fee that expires on September 1, 2020 and directs the creation of a workgroup to provide recommendations for consideration of DEQ programmatic funding needs prior to the 2021 Regular Session.)

Item 378 #1s

Natural Resources

Department of Environmental Quality

Language

Language:

Page 180, line 4, strike "Note set out." and insert:
Amendment drawn to Chapter 1289

"Air Protection (51300)	\$21,472,948	\$22,064,948
Air Protection Permitting (51325)	\$5,415,049	\$5,877,049
Air Protection Compliance and Enforcement (51326)	\$6,189,758	\$6,189,758
Air Protection Outreach (51327)	\$1,262,360	\$1,262,360
Air Protection Planning and Policy (51328)	\$4,040,995	\$4,040,995
Air Protection Monitoring and Assessment (51329)	\$4,564,786	\$4,694,786
Fund Sources:		
General	\$2,530,380	\$3,122,380
Enterprise	\$9,766,599	\$9,766,599
Dedicated Special Revenue	\$5,195,992	\$5,195,992
Federal Trust	\$3,979,977	\$3,979,977

Authority: Title 10.1, Chapters 11.1 and 13; and Title 46.2, Chapter 10, Code of Virginia.

A. The Department of Environmental Quality is authorized to use up to \$300,000 the first year

and \$300,000 the second year from the Vehicle Emissions Inspection Program Fund to implement the provisions of Chapter 710, Acts of Assembly of 2002, which authorizes the department to operate a program to subsidize repairs of vehicles that fail to meet emissions standards established by the Air Pollution Control Board when the owner of the vehicle is financially unable to have the vehicle repaired.

B.1. All of the permit program emissions fees collected by the State Air Pollution Control Board pursuant to § 10.1-1322, Code of Virginia, shall be assessed and collected on an annual basis notwithstanding the provisions of that section. The State Air Pollution Control Board shall adopt regulations adjusting permit program emissions fees collected pursuant to § 10.1-1322, Code of Virginia, and establish permit application processing fees and permit maintenance fees sufficient to ensure that the revenues collected from fees cover the total direct and indirect costs of the program consistent with the requirements of Title V of the Clean Air Act, except that the initial adjustment to permit program emissions fees shall not be increased by more than 30 percent over current rates. Notwithstanding the provisions of § 10.1-1322, Code of Virginia, the permit application fees collected pursuant to this paragraph shall not be credited towards the amount of annual fees owed pursuant to § 10.1-1322, Code of Virginia. All of the fees adopted pursuant to this section shall be adjusted annually by the Consumer Price Index.

2. The State Air Pollution Control Board shall adopt regulations to prohibit the sale, lease, rent, installation or entry into commerce in Virginia of any products or equipment that use or will use hydrofluorocarbons for the applications and end uses restricted by Appendix U and Appendix V of Subpart G of 40 C.F.R. Part 82, as those read on January 3, 2017. *Notwithstanding the foregoing, such regulations shall not prohibit the use of hydrofluorocarbons in the manufacturing process by extruded polystyrene boardstock and billet manufacturers located in Virginia to produce products for sale and distribution outside of the Commonwealth. In developing regulations, the Board shall solicit input from a workgroup of relevant stakeholders assembled by the Department.*

3. The regulations adopted by the State Air Pollution Control Board to initially implement the provisions of this item shall be exempt from Chapter 40 of Title 2.2, Code of Virginia, and shall become effective no later than July 1, 2021. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Chapter 40 of Title 2.2, Code of Virginia.

C. Out of the amounts in this Item, \$84,451 the first year and \$84,451 the second year from the general fund is included for the purchase of laboratory and field equipment through the Commonwealth's Master Equipment Leasing Program.

Explanation:

(This amendment modifies language adopted by the 2020 General Assembly to grandfather existing Virginia-based manufacturers of extruded polystyrene boardstock and billet materials from regulations prohibiting the use of hydrofluorocarbons currently under development by the Department of Environmental Quality.)

Item 383 #1s

Natural Resources

Department of Game and Inland Fisheries Language

Language:

Page 180, line 37, strike "Not set out." and insert:
Amendment drawn to Chapter 1289

"Administrative and Support Services (59900)	\$10,332,931	\$10,332,931
General Management and Direction (59901)	\$6,983,303	\$6,983,303
Information Technology Services (59902)	\$3,349,628	\$3,349,628
Fund Sources:		
Dedicated Special Revenue	\$8,829,996	\$8,829,996
Federal Trust	\$1,502,935	\$1,502,935

Authority: Title 29.1, Chapter 1, Code of Virginia.

A. The department shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the department.

B. The department shall not further consolidate its regional offices, field offices, or close any of these offices in presently-served localities or enter into any lease for any new regional office without notification of the Chairs of the House Committee on Agriculture, Chesapeake, and Natural Resources and the Chairs of the Senate Committee on Agriculture, Conservation, and Natural Resources. The department shall not undertake any future reorganization of any division, reporting structures, regional or field offices, or any function it may perform without notifying the Chairs of the House Committee on Agriculture, Chesapeake, and Natural Resources, the House Committee on Appropriations, the Senate Committee on Agriculture, Conservation, and Natural Resources, and the Senate Committee on Finance and Appropriations.

C. Funds previously appropriated to the Lake Anna Advisory Committee for hydrilla control and removal may be used at the discretion of the Lake Anna Advisory Committee upon issues

related to maintaining the health, safety, and welfare of Lake Anna.

D.1. Subject to review and approval by the Secretary of Natural Resources, the Director of the Department of Game and Inland Fisheries may issue to the Department of Transportation an interim permit to relocate the nest and eggs of any state listed threatened bird species from critical areas of the Hampton Roads Bridge Tunnel Expansion Project's South Island associated with the ingress and egress to the island; the delivery, assembly, and immediate operations of the tunnel boring machine; or other project critical locations as mutually agreed to by the Commissioner of Highways and the Director, which, if not relocated, would effectively require all substantial construction activities to cease.

2. Prior to the issuance of an interim permit as described in Section 1, (i) the Director must determine that the Department of Transportation and its design-build contractor have taken all reasonable steps to prevent birds from nesting on the South Island, in accordance with the Colonial Nesting Bird Management Plan dated March 27, 2020, (ii) the Commissioner of Highways must determine that substantial construction activities will have to cease if the nest and eggs are not relocated, and (iii) the Director shall require as a condition of the interim permit that the nest and any eggs will be relocated under the supervision of the Department of Game and Inland Fisheries to a location acceptable to the Director that is as close as possible to the original nesting location while allowing construction activities to continue.

3. Within 30 days of the adoption by the Board of Game and Inland Fisheries of any regulation governing the take of migratory birds or threatened and endangered species, the Department of Transportation shall apply for a permit covering such take for the Hampton Roads Bridge-Tunnel expansion project.

4. Any agency that exercises the authority granted in paragraph D.1, or that issues any permit that has an adverse impact on fish and wildlife or their habitat, may require compensatory mitigation for such adverse impact as a condition of issuing the permit:

a. For the purposes of this section, "compensatory mitigation" means addressing the direct and indirect adverse impacts to fish and wildlife and their habitats that may be caused by a construction project by avoiding and minimizing impacts to the extent practicable and then compensating for the remaining impacts:

b. Proposed compensatory mitigation agreements between an agency and a permittee shall be subject to the approval of the Secretary of Natural Resources, and may include environmental restoration projects, purchase of mitigation bank credits, or in-lieu payments to existing state funds related to conservation of fish and wildlife and their habitat."

Explanation:

(This amendment removes language adopted by the Reconvened 2020 Session which provided overly broad authority for agencies within the Natural Resources Secretariat to adopt policies requiring compensatory mitigation agreements outside of the process set out by the

administrative process act.)

	Item 402 #1s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of Corrections	\$1,152,377 6.00	\$411,084 GF 6.00 FTE

Language:

Page 184, line 14, strike "\$180,872,172" and insert "\$182,024,549".

Page 184, line 14, strike "\$185,414,528" and insert "\$185,825,612".

Page 184, line 14, strike: "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: §§ 53.1-1 and 53.1-10, Code of Virginia.

A.1. Any plan to modernize and integrate the automated systems of the Department of Corrections shall be based on developing the integrated system in phases, or modules. Furthermore, any such integrated system shall be designed to provide the department the data needed to evaluate its programs, including that data needed to measure recidivism.

2. The appropriation in this Item includes \$600,000 the first year and \$600,000 the second year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of maintaining and enhancing the offender management system.

B. Included in this appropriation is \$550,000 the first year and \$550,000 the second year from nongeneral funds to be used for installation and operating expenses of the telemedicine program operated by the Department of Corrections. The source of the funds is revenue from inmate fees collected for medical services.

C. Included in this appropriation is \$1,100,000 the first year and \$1,100,000 the second year from nongeneral funds to be used by the Department of Corrections for the operations of its Corrections Construction Unit. The State Comptroller shall continue the Corrections Construction Unit Special Operating Fund on the Commonwealth Accounting and Reporting System to reflect the activities of contracts between the Corrections Construction Unit and (i) institutions within the Department of Corrections for work not related to a capital project and (ii) agencies without the Department of Corrections for work performed for those agencies.

D. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the Director, Department of Corrections, shall receive offenders into the state correctional system from local and regional jails at such time as he determines that sufficient, secure and appropriate housing is available, placing a priority on receiving inmates diagnosed and being treated for HIV, mental illnesses requiring medication, or Hepatitis C. The director shall maximize, consistent with inmate and staff safety, the use of bed space in the state correctional system. The director shall report monthly to the Secretary of Public Safety and Homeland Security and the Department of Planning and Budget on the number of inmates housed in the state correctional system, the number of inmate beds available, and the number of offenders housed in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.

E. Notwithstanding any requirement to the contrary, any building, fixture, or structure to be placed, erected or constructed on, or removed or demolished from the property of the Commonwealth of Virginia under the control of the Department of Corrections shall not be subject to review and approval by the Art and Architectural Review Board as contemplated by § 2.2-2402, Code of Virginia. However, if the Department of Corrections seeks to construct a facility that is not a secure correctional facility or a structure located on the property of a secure correctional facility, then the Department of Corrections shall submit that structure to the Art and Architectural Review Board for review and approval by that board. Such other structures could include probation and parole district offices or regional offices.

F. The Commonwealth of Virginia shall convey 45 acres (more or less) of property, being a portion of Culpeper County Tax Map No. 75, parcel 32, lying in the Cedar Mountain Magisterial District of Culpeper County, Virginia, in consideration of the County's construction of water capacity and service line(s) adequate to serve the needs of the Department of Corrections' Coffeewood Facility and the Department of Juvenile Justice's Culpeper Juvenile Correctional Facility (hereinafter "the facilities"). The cost of the water improvements necessary to serve the facilities, including an eight-inch water service line, and including engineering and land/easement acquisition costs, shall be paid by the Commonwealth, less and except (i) the value of the property for the jail conveyed by the Commonwealth to the County (\$150,382,

based on valuation by the Culpeper County Assessor), and (ii) the cost of increasing the size of the water service line from eight inches to twelve inches, in order to accommodate planned county needs.

G. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Corrections shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

H. The Department of Corrections shall serve as the Federal Bonding Coordinator and shall work with the Virginia Community College System and its workforce development programs and services to provide fidelity bonds to those offenders released from jails or state correctional centers who are required to provide fidelity bonds as a condition of employment. The department is authorized to use funds from the Contract Prisoners Special Revenue Fund to pay the costs of this activity.

I. In the event the Department of Corrections closes a correctional facility for which it has entered into an agreement with any locality to pay a proportionate share of the debt service for the establishment of utilities to serve the facility, the department shall continue to pay its agreed upon share of the debt service, subject to the schedule previously agreed upon.

J. Included in the appropriation for this Item is \$1,000,000 the first year and \$1,000,000 the second year from the general fund for the costs of security technology and hardware for the inmate telephone system.

K. From the appropriation in this Item, \$500,000 the first year and \$500,000 the second year from the general fund shall be used to present seminars on overcoming obstacles to re-entry and to promote family integration in the correctional centers designated for intensive re-entry programs. The department shall submit a report by October 15 of each year to the chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Public Safety and Homeland Security, and the Department of Planning and Budget on the use of this funding.

L. Included in the appropriation for this Item is \$370,125 the first year and \$426,832 the second year from the general fund and four positions to assist the Board of Corrections in carrying out its duties under the authority of § 53.1-69.1, Code of Virginia, to review deaths of inmates in

local correctional facilities.

M.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Director, Department of Corrections, shall implement the recommendations relating to the Department of Corrections made by the Department of Medical Assistance Services in its November 30, 2017 report on streamlining the Medicaid application and enrollment process for incarcerated individuals.

2. For the purpose of implementing these recommendations, included in the appropriation for this item are \$37,400 the first year and \$37,400 the second year from the general fund, and \$420,993 the first year and \$112,200 the second year from nongeneral funds and two positions.

N. By September 1 of each year, the Department of Corrections shall remit data to the Director of the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees regarding medical treatment provided to offenders at each facility. The data shall include, as a proportion of average daily population at each facility, the levels of inmates who received care, including: the specific proportions of inmates from each facility who were treated as inpatients, the specific proportion of inmates from each facility who were treated as outpatients, data on prescription drug administration, and the proportion of inmates from each facility who received other discrete services. When negotiating contracts with healthcare vendors, the Department of Corrections shall include the reporting of data required under this paragraph as a requirement within the contract.

O. The Department of Corrections is authorized to purchase from the Town of Craigsville approximately 122 acres, more or less, located adjacent to the Augusta Correctional Center. In consideration for this acreage, the Department will provide wastewater treatment services to the Town at no cost for a period adequate to equal the value of the property conveyed. The value of the property shall be established by averaging the value of one appraisal provided by the Department of Corrections and one by the Town of Craigsville.

P. The Commonwealth of Virginia shall convey 65 acres of property consisting of Clarke County Tax Map No. 27, new parcel A, situated in the Greenway Magisterial District of Clarke County, Virginia, to the Virginia Port Authority (VPA), on behalf of the Virginia Inland Port (VIP). The VPA, on behalf of the VIP, shall collaborate with representatives of Clarke County to promote the use of the land for economic development purposes. The VIP shall enter into a

memorandum-of-understanding with Clarke County on the development and execution of mutually advantageous economic development proposals.

Q. Included within the appropriation for this item is \$10,807,975 the first year and \$16,217,315 the second year from the general fund and \$7,592,004 the first year and \$1,000,000 the second year from the Contract Prisoners Special Revenue Fund for implementation of an electronic health records system in all facilities.

R. The Department of Corrections shall evaluate and determine the costs for assuming state management of Lawrenceville Correctional Center at the end of the current contract and report on its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 15, 2020. The report shall include an implementation timeline for transitioning from private management to state agency management and propose a structure and cost estimate for the delivery of healthcare services to offenders housed in the facility.

S. Out of this appropriation, \$370,125 the first year and \$426,832 the second year from the general fund is provided for four full-time jail death investigators for the Board of Corrections.

T. Out of this appropriation, \$500,000 the first year from the general fund is provided to contract with third parties for an evaluation of the Department of Corrections' medical services delivery model that may include best practices in correctional healthcare, quality management, and other innovative strategies in creating a more efficient system of providing cost effective and quality healthcare. The department shall provide an update with any findings or recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020.

U. The Department of Corrections shall evaluate options to increase programs that increase hours of exposure to mental health or behavioral health counseling, spiritual counseling, and or recreation, for persons in restrictive housing and report its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by January 1, 2021.

V. Included in the appropriation for this Item is \$950,000 the first year from the general fund for the estimated net increase in the operating cost of adult correctional facilities resulting from

the enactment of sentencing legislation as listed below. This amount shall be paid into the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4, Code of Virginia.

1. House Bill 2 and Senate Bill 70 -- \$50,000
2. House Bill 4 and Senate Bill 36 -- \$50,000
3. House Bill 123 and Senate Bill 838 -- \$50,000
4. House Bill 253 -- \$50,000
5. House Bill 298 and Senate Bill 724 -- \$50,000
6. House Bill 557 -- \$50,000
7. House Bill 618 -- \$50,000
8. House Bill 623 -- \$50,000
9. House Bill 666 -- \$50,000
10. House Bill 674 and Senate Bill 240 -- \$50,000
11. House Bill 1004 and Senate Bill 479 -- \$50,000

12. House Bill 1211 -- \$50,000

13. House Bill 1414 and Senate Bill 890 -- \$50,000

14. House Bill 1524 -- \$50,000

15. House Bill 1553 -- \$50,000

16. Senate Bill 14 -- \$50,000

17. Senate Bill 42 -- \$50,000

18. Senate Bill 64 -- \$50,000

19. Senate Bill 439 -- \$50,000

W.1. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, the Director shall, during the duration of the declared emergency, have the authority to (i) discharge from incarceration or (ii) place into a lower level of supervision, including probation supervision, home electronic incarceration, or other forms of community corrections, any prisoner committed to the Department who has less than one year of his sentence remaining to be served prior to his scheduled release if the Director determines that (a) any such discharge or placement during the declared emergency will assist in maintaining the health, safety, and welfare of any prisoner discharged or placed or the prisoners remaining in state correctional facilities and (b) any such discharge or placement is compatible with the interests of society and public safety.

2. The provisions of this section shall not apply to a prisoner convicted of a Class 1 felony or a sexually violent offense as defined in § 37.2-900 of the Code of Virginia.

3. The Director shall develop procedures for implementing the provisions of this section which shall include provisions addressing reentry planning in accordance with § 53.1-32.2 of the Code of Virginia. To the extent practicable, the Director shall comply with all provisions of the Virginia Code relating to providing notice of a prisoner's discharge; however, any failure to comply with such notice provisions shall not affect the Director's authority to discharge a prisoner pursuant to this section.

4. The provisions of this section shall expire on July 1, 2021.

X. Included in the appropriation for this item is \$1,152,377 in the first year and \$411,084 in the second year and six positions from the general fund for the Department to implement the time computation provisions of SB 5034 of the 2020 Special Session I."

Explanation:

(This amendment provides a total of \$1.2 million GF in the first year and \$0.4 million GF in the second year for the Department to update its CORIS system to prepare to implement the earned sentence provisions of SB 5034. \$1.0 million of the funding in the first year is intended to for one-time information technology upgrades necessary to program new sentence earning calculations in CORIS. The additional funding is for the Department to hire 6.0 FTEs to manage the vendor-change process, test the program changes, and calculate earned sentence time and release dates. Item 402 will be set out in enrolling of the bill.)

	Item 402 #2s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of Corrections	\$20,767	\$41,534 GF

Language:

Page 184, line 14, strike "\$180,872,172" and insert "\$180,892,939".
Page 184, line 14, strike "\$185,414,528" and insert "\$185,456,062".

Explanation:

(This amendment provides funding for the Board of Corrections to hire a part-time jail investigator in support of SB 5017, which will identify more institutions as local correctional facilities requiring Board oversight. Item 402 will be set out in enrolling of the bill.)

	Item 402 #3s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of Corrections	\$50,000	\$0 GF

Language:

Page 184, line 14, strike "\$180,872,172" and insert "\$180,922,172".

Page 184, line 14, strike: "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: §§ 53.1-1 and 53.1-10, Code of Virginia.

A.1. Any plan to modernize and integrate the automated systems of the Department of Corrections shall be based on developing the integrated system in phases, or modules. Furthermore, any such integrated system shall be designed to provide the department the data needed to evaluate its programs, including that data needed to measure recidivism.

2. The appropriation in this Item includes \$600,000 the first year and \$600,000 the second year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of maintaining and enhancing the offender management system.

B. Included in this appropriation is \$550,000 the first year and \$550,000 the second year from nongeneral funds to be used for installation and operating expenses of the telemedicine program operated by the Department of Corrections. The source of the funds is revenue from inmate fees collected for medical services.

C. Included in this appropriation is \$1,100,000 the first year and \$1,100,000 the second year from nongeneral funds to be used by the Department of Corrections for the operations of its Corrections Construction Unit. The State Comptroller shall continue the Corrections Construction Unit Special Operating Fund on the Commonwealth Accounting and Reporting System to reflect the activities of contracts between the Corrections Construction Unit and (i) institutions within the Department of Corrections for work not related to a capital project and (ii) agencies without the Department of Corrections for work performed for those agencies.

D. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the Director, Department of Corrections, shall receive offenders into the state correctional system from local and regional jails at such time as he determines that sufficient, secure and appropriate housing is available, placing a priority on receiving inmates diagnosed and being treated for HIV, mental illnesses requiring medication, or Hepatitis C. The director shall maximize, consistent with inmate and staff safety, the use of bed space in the state correctional system. The director shall report monthly to the Secretary of Public Safety and Homeland Security and the Department of Planning and Budget on the number of inmates housed in the state correctional system, the number of inmate beds available, and the number of offenders housed in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.

E. Notwithstanding any requirement to the contrary, any building, fixture, or structure to be placed, erected or constructed on, or removed or demolished from the property of the Commonwealth of Virginia under the control of the Department of Corrections shall not be subject to review and approval by the Art and Architectural Review Board as contemplated by § 2.2-2402, Code of Virginia. However, if the Department of Corrections seeks to construct a facility that is not a secure correctional facility or a structure located on the property of a secure correctional facility, then the Department of Corrections shall submit that structure to the Art and Architectural Review Board for review and approval by that board. Such other structures could include probation and parole district offices or regional offices.

F. The Commonwealth of Virginia shall convey 45 acres (more or less) of property, being a portion of Culpeper County Tax Map No. 75, parcel 32, lying in the Cedar Mountain Magisterial District of Culpeper County, Virginia, in consideration of the County's construction of water capacity and service line(s) adequate to serve the needs of the Department of Corrections' Coffeewood Facility and the Department of Juvenile Justice's Culpeper Juvenile Correctional Facility (hereinafter "the facilities"). The cost of the water improvements necessary to serve the facilities, including an eight-inch water service line, and including engineering and land/easement acquisition costs, shall be paid by the Commonwealth, less and except (i) the value of the property for the jail conveyed by the Commonwealth to the County (\$150,382,

based on valuation by the Culpeper County Assessor), and (ii) the cost of increasing the size of the water service line from eight inches to twelve inches, in order to accommodate planned county needs.

G. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Corrections shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

H. The Department of Corrections shall serve as the Federal Bonding Coordinator and shall work with the Virginia Community College System and its workforce development programs and services to provide fidelity bonds to those offenders released from jails or state correctional centers who are required to provide fidelity bonds as a condition of employment. The department is authorized to use funds from the Contract Prisoners Special Revenue Fund to pay the costs of this activity.

I. In the event the Department of Corrections closes a correctional facility for which it has entered into an agreement with any locality to pay a proportionate share of the debt service for the establishment of utilities to serve the facility, the department shall continue to pay its agreed upon share of the debt service, subject to the schedule previously agreed upon.

J. Included in the appropriation for this Item is \$1,000,000 the first year and \$1,000,000 the second year from the general fund for the costs of security technology and hardware for the inmate telephone system.

K. From the appropriation in this Item, \$500,000 the first year and \$500,000 the second year from the general fund shall be used to present seminars on overcoming obstacles to re-entry and to promote family integration in the correctional centers designated for intensive re-entry programs. The department shall submit a report by October 15 of each year to the chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Public Safety and Homeland Security, and the Department of Planning and Budget on the use of this funding.

L. Included in the appropriation for this Item is \$370,125 the first year and \$426,832 the second year from the general fund and four positions to assist the Board of Corrections in carrying out its duties under the authority of § 53.1-69.1, Code of Virginia, to review deaths of inmates in

local correctional facilities.

M.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Director, Department of Corrections, shall implement the recommendations relating to the Department of Corrections made by the Department of Medical Assistance Services in its November 30, 2017 report on streamlining the Medicaid application and enrollment process for incarcerated individuals.

2. For the purpose of implementing these recommendations, included in the appropriation for this item are \$37,400 the first year and \$37,400 the second year from the general fund, and \$420,993 the first year and \$112,200 the second year from nongeneral funds and two positions.

N. By September 1 of each year, the Department of Corrections shall remit data to the Director of the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees regarding medical treatment provided to offenders at each facility. The data shall include, as a proportion of average daily population at each facility, the levels of inmates who received care, including: the specific proportions of inmates from each facility who were treated as inpatients, the specific proportion of inmates from each facility who were treated as outpatients, data on prescription drug administration, and the proportion of inmates from each facility who received other discrete services. When negotiating contracts with healthcare vendors, the Department of Corrections shall include the reporting of data required under this paragraph as a requirement within the contract.

O. The Department of Corrections is authorized to purchase from the Town of Craigsville approximately 122 acres, more or less, located adjacent to the Augusta Correctional Center. In consideration for this acreage, the Department will provide wastewater treatment services to the Town at no cost for a period adequate to equal the value of the property conveyed. The value of the property shall be established by averaging the value of one appraisal provided by the Department of Corrections and one by the Town of Craigsville.

P. The Commonwealth of Virginia shall convey 65 acres of property consisting of Clarke County Tax Map No. 27, new parcel A, situated in the Greenway Magisterial District of Clarke County, Virginia, to the Virginia Port Authority (VPA), on behalf of the Virginia Inland Port (VIP). The VPA, on behalf of the VIP, shall collaborate with representatives of Clarke County to promote the use of the land for economic development purposes. The VIP shall enter into a

memorandum-of-understanding with Clarke County on the development and execution of mutually advantageous economic development proposals.

Q. Included within the appropriation for this item is \$10,807,975 the first year and \$16,217,315 the second year from the general fund and \$7,592,004 the first year and \$1,000,000 the second year from the Contract Prisoners Special Revenue Fund for implementation of an electronic health records system in all facilities.

R. The Department of Corrections shall evaluate and determine the costs for assuming state management of Lawrenceville Correctional Center at the end of the current contract and report on its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 15, 2020. The report shall include an implementation timeline for transitioning from private management to state agency management and propose a structure and cost estimate for the delivery of healthcare services to offenders housed in the facility.

S. Out of this appropriation, \$370,125 the first year and \$426,832 the second year from the general fund is provided for four full-time jail death investigators for the Board of Corrections.

T. Out of this appropriation, \$500,000 the first year from the general fund is provided to contract with third parties for an evaluation of the Department of Corrections' medical services delivery model that may include best practices in correctional healthcare, quality management, and other innovative strategies in creating a more efficient system of providing cost effective and quality healthcare. The department shall provide an update with any findings or recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020.

U. The Department of Corrections shall evaluate options to increase programs that increase hours of exposure to mental health or behavioral health counseling, spiritual counseling, and or recreation, for persons in restrictive housing and report its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by January 1, 2021.

V. Included in the appropriation for this Item is ~~\$950,000~~ \$1,000,000 the first year from the general fund for the estimated net increase in the operating cost of adult correctional facilities

resulting from the enactment of sentencing legislation as listed below. This amount shall be paid into the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4, Code of Virginia.

1. House Bill 2 and Senate Bill 70 -- \$50,000
2. House Bill 4 and Senate Bill 36 -- \$50,000
3. House Bill 123 and Senate Bill 838 -- \$50,000
4. House Bill 253 -- \$50,000
5. House Bill 298 and Senate Bill 724 -- \$50,000
6. House Bill 557 -- \$50,000
7. House Bill 618 -- \$50,000
8. House Bill 623 -- \$50,000
9. House Bill 666 -- \$50,000
10. House Bill 674 and Senate Bill 240 -- \$50,000
11. House Bill 1004 and Senate Bill 479 -- \$50,000

12. House Bill 1211 -- \$50,000

13. House Bill 1414 and Senate Bill 890 -- \$50,000

14. House Bill 1524 -- \$50,000

15. House Bill 1553 -- \$50,000

16. Senate Bill 14 -- \$50,000

17. Senate Bill 42 -- \$50,000

18. Senate Bill 64 -- \$50,000

19. Senate Bill 439 -- \$50,000

20. *Senate Bill 5030 -- \$50,000*

W.1. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, the Director shall, during the duration of the declared emergency, have the authority to (i) discharge from incarceration or (ii) place into a lower level of supervision, including probation supervision, home electronic incarceration, or other forms of community corrections, any prisoner committed to the Department who has less than one year of his sentence remaining to be served prior to his scheduled release if the Director determines that (a) any such discharge or placement during the declared emergency will assist in maintaining the health, safety, and welfare of any prisoner discharged or placed or the prisoners remaining in state correctional

facilities and (b) any such discharge or placement is compatible with the interests of society and public safety.

2. The provisions of this section shall not apply to a prisoner convicted of a Class 1 felony or a sexually violent offense as defined in § 37.2-900 of the Code of Virginia.

3. The Director shall develop procedures for implementing the provisions of this section which shall include provisions addressing reentry planning in accordance with § 53.1-32.2 of the Code of Virginia. To the extent practicable, the Director shall comply with all provisions of the Virginia Code relating to providing notice of a prisoner's discharge; however, any failure to comply with such notice provisions shall not affect the Director's authority to discharge a prisoner pursuant to this section.

4. The provisions of this section shall expire on July 1, 2021."

Explanation:

(This amendment provides \$50,000 from the general fund in the first year to the Corrections Special Reserve Fund to reflect the estimated impact on utilization of beds in the Commonwealth's adult correctional centers resulting from changes in criminal sentencing pursuant to SB 5030.)

	Item 403 #1s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of Criminal Justice	(\$195,795)	\$254,191 GF
Services	2.00	2.00 FTE

Language:

- Page 185, line 18, strike "\$6,601,573" and insert "\$6,405,778".
- Page 185, line 18, strike "\$5,563,018" and insert "\$5,817,209".
- Page 186, line 14 strike "\$208,079" and insert "\$124,848".
- Page 186, line 18, strike "94,825" and insert "56,895".
- Page 186, line 26, strike "\$1,504,321" and insert "\$1,363,561".
- Page 186, line 27, strike "five" and insert "six".
- Page 186, line 29, after "academies." insert: "The funding in the first year under this paragraph

includes \$1.0 million for the Department to contract with a third party to develop curriculum and training standards required by the provisions of SB 5030 of the 2020 Special Session I."

Page 186, after line 29 insert:

"K. Included within the appropriation for this Item is \$66,127 in the first year and \$132, 254 in the second year from the general fund and one position to support a data analyst to support the requirements of the Community Policing Act and SB 5030 of the 2020 Special Session I."

Explanation:

(This amendment provides funding for two positions related to the requirements of the Policing Reform bill (SB 5030) that were not included in the introduced budget. The amendment maintains funding for the 8.0 FTE included in the introduced budget, but adjusts the first year funding to be provided for six months from 10 months, as was proposed in the introduced budget. The two additional positions added are (i) one FTE for annual evaluations of certified training academies, for a total of 6.0 FTEs related to the annual evaluations when added to the positions included in the introduced budget; and (ii) one FTE to provide data analysis related to the Department's responsibilities under the Community Policing Act and SB 5030.)

Item 403 #2s

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Criminal Justice Services	(\$200,000)	\$0	GF

Language:

Page 185, line 18, strike "\$6,601,573" and insert "\$6,401,573".

Page 186, strike lines 11 through 13.

Explanation:

(This amendment removes funding that was proposed in the introduced budget associated with civilian review panels. According to the fiscal impact statement for SB 5035, there is no fiscal impact for the Department of Criminal Justice Services associated with authorizing civilian review panels.)

Item 404 #1s

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Criminal Justice Services	\$61,203 1.00	\$122,405 1.00	GF FTE

Language:

Page 186, line 30, strike "\$868,563" and insert "\$929,766".

Page 186, line 30, strike "\$868,563" and insert "\$990,968".
Page 186, line 30, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: Title 9.1, Chapter 1; Title 19.2, Chapter 23.1, Code of Virginia.

A. Included in the amounts appropriated for this item is \$400,000 the first year and \$400,000 the second year from the general fund for the ongoing costs of conducting the School Climate Survey.

B. Included in the appropriation for this item is \$145,000 the first year and \$145,000 the second year from the general fund for the sex trafficking response coordination activities of the Department, pursuant to the provisions of House Bill 2576 and Senate Bill 1669 of the 2019 Session of the General Assembly.

C. Out of this appropriation, \$149,174 the first year and \$149,174 the second year from the general fund is provided to establish the Virginia sexual assault forensic examiner coordination program, pursuant to House Bill 475 and Senate Bill 373 of the 2020 Session of the General Assembly.

D. Included in the appropriation for this item is \$61,203 the first year and \$122,405 the second year and one position from the general fund for the Department to hire a program manager for the Mental Health Awareness Response and Community Understanding Services Alert System, established pursuant to SB 5038 of the 2020 Special Session I."

Explanation:

(This amendment provides funding and a position for the Department to hire a program manager for the Mental Health Awareness Response and Community Understanding Services Alert System, established pursuant to SB 5038.)

Item 406 #1s

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Criminal Justice	\$6,459,095	\$113,790	GF
Services	1.00	1.00	FTE

Language:

Page 186, line 32, strike "\$147,575,754" and insert "\$154,034,849".

Page 186, line 32, strike "\$148,474,168" and insert "\$148,587,958".

Page 186, line 32, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: Title 9.1, Chapter 1, Code of Virginia.

A.1. This appropriation includes an estimated \$4,800,000 the first year and an estimated \$4,800,000 the second year from federal funds pursuant to the Omnibus Crime Control Act of 1968, as amended. Of these amounts, ten percent is available for administration, and the remainder is available for grants to state agencies and local units of government. The remaining federal funds are to be passed through as grants to localities, with a required 25 percent local match. Also included in this appropriation is \$452,128 the first year and \$452,128 the second year from the general fund for the required matching funds for state agencies.

2. The Department of Criminal Justice Services shall provide a summary report on federal anti-crime and related grants which will require state general funds for matching purposes during FY 2013 and beyond. The report shall include a list of each grant and grantee, the purpose of the grant, and the amount of federal and state funds recommended, organized by topical area and fiscal period. The report shall indicate whether each grant represents a new program or a renewal of an existing grant. Copies of this report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees and the Director, Department of Planning and Budget by January 1 of each year.

B. The Department of Criminal Justice Services is authorized to make grants and provide technical assistance out of this appropriation to state agencies, local governments, regional, and nonprofit organizations for the establishment and operation of programs for the following purposes and up to the amounts specified:

1.a. Regional training academies for criminal justice training, \$1,001,074 the first year and \$1,001,074 the second year from the general fund and an estimated \$1,649,315 the first year and an estimated \$1,649,315 the second year from nongeneral funds. The Criminal Justice Services Board shall adopt such rules as may reasonably be required for the distribution of funds and for the establishment, operation and service boundaries of state-supported regional criminal justice training academies.

b. The Board of Criminal Justice Services, consistent with § 9.1-102, Code of Virginia, and § 6VAC-20-20-61 of the Administrative Code, shall not approve or provide funding for the establishment of any new criminal justice training academy from July 1, 2020, through June 30, 2022.

c. Notwithstanding subsection B.1.b. of this item, the Board of Criminal Justice Services may approve a new regional criminal justice academy serving the Counties of Clarke, Frederick, and Warren; the City of Winchester; the Towns of Berryville, Front Royal, Middletown, Stephens City and Strasburg; the Northwestern Adult Detention Center; and, the Frederick County Emergency Communications Center, to be established and operated consistent with a written agreement, provided to the Board, between the local governing bodies, chief executive officers, and chief law enforcement officers of the aforementioned localities, and the Rappahannock Regional Criminal Justice Academy. The new academy shall be eligible to receive state funding in a manner consistent with the currently existing regional criminal justice training academies. However, no current existing regional criminal justice training academy other than the Rappahannock Regional Criminal Justice Academy will receive less funding as a result of the creation of the new regional academy.

2. Virginia Crime Victim-Witness Fund, \$5,692,738 the first year and \$5,692,738 the second year from dedicated special revenue, and \$943,700 the first year and \$943,700 the second year from the general fund. The Department of Criminal Justice Services shall provide a report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided annually to the Secretary of Public Safety and Homeland Security, the Department of Planning and Budget, and the Chairmen of the Senate Finance and House Appropriations Committees by October 16 of each year.

3.a. Court Appointed Special Advocate (CASA) programs, \$1,615,000 the first year and \$1,615,000 the second year from the general fund.

b. In the event that the federal government reduces or removes support for the CASA programs, the Governor is authorized to provide offsetting funding for those impacted programs out of the unappropriated balances in this Act.

4. Domestic Violence Fund, \$3,000,000 the first year and \$3,000,000 the second year from the dedicated special revenue fund to provide grants to local programs and prosecutors that provide services to victims of domestic violence.

5. Pre and Post-Incarceration Services (PAPIS), \$3,286,144 the first year and \$3,286,144 the second year from general fund to support pre and post incarceration professional services and guidance that increase the opportunity for, and the likelihood of, successful reintegration into the community by adult offenders upon release from prisons and jails.

6. To the Department of Behavioral Health and Developmental Services for the following activities and programs: (i) a partnership program between a local community services board and the district probation and parole office for a jail diversion program; (ii) forensic discharge planners; (iii) advanced training on veterans' issues to local crisis intervention teams; and (iv) cross systems mapping targeting juvenile justice and behavioral health.

7. To the Department of Corrections for the following activities and programs: (i) community residential re-entry programs for female offenders; (ii) establishment of a pilot day reporting center; and (iii) establishment of a pilot program whereby non-violent state offenders would be housed in a local or regional jail, rather than a prison or other state correctional facility, with rehabilitative services provided by the jail.

8. To Drive to Work, \$75,000 the first year and \$75,000 the second year from the general fund and \$75,000 the first year and \$75,000 the second year from such federal funds as may be available to provide assistance to low income and previously incarcerated persons to restore their driving privileges so they can drive to work and keep a job.

9. For model addiction recovery programs administered in local or regional jails, \$153,600 the first year and \$153,600 the second year from the general fund. The Department of Criminal Justice Services, consistent with the provisions of Chapter 758, 2017 Acts of Assembly, shall award grants not to exceed \$38,400 to four pilot programs selected in consultation with the Department of Behavioral Health and Developmental Services.

C.1. Out of this appropriation, \$27,690,378 the first year and \$27,690,378 the second year from the general fund is authorized to make discretionary grants and to provide technical assistance to cities, counties or combinations thereof to develop, implement, operate and evaluate programs, services and facilities established pursuant to the Comprehensive Community Corrections Act for Local-Responsible Offenders (§§ 9.1-173 through 9.1-183 Code of Virginia) and the Pretrial Services Act (§§ 19.2-152.2 through 19.2-152.7, Code of Virginia). Out of these amounts, the Director, Department of Criminal Justice Services, is authorized to expend no more than five percent per year for state administration of these programs.

2. The Department of Criminal Justice Services, in conjunction with the Office of the Executive Secretary of the Supreme Court and the Virginia Criminal Sentencing Commission, shall conduct information and training sessions for judges and other judicial officials on the programs, services and facilities available through the Pretrial Services Act and the Comprehensive Community Corrections Act for Local-Responsible Offenders.

D.1. Out of this appropriation, \$225,000 the first year and \$225,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Central Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

2. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Southwest Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

E. In the event the federal government should make available additional funds pursuant to the Violence Against Women Act, the department shall set aside 33 percent of such funds for competitive grants to programs providing services to domestic violence and sexual assault victims.

F.1. Out of this appropriation, \$4,700,000 the first year and \$4,700,000 the second year from the general fund and \$1,710,000 the first year and \$1,710,000 the second year from such federal funds as are available shall be deposited to the School Resource Officer Incentive Grants Fund established pursuant to § 9.1-110, Code of Virginia.

2.a. The Director, Department of Criminal Justice Services, is authorized to expend \$410,877 the first year and \$410,877 the second year from the School Resource Officer Incentive Grants Fund to operate the Virginia Center for School Safety, pursuant to § 9.1-110, Code of Virginia.

b. The Center for School Safety shall provide a grant of \$100,000 in the first year and \$100,000 in the second year to the York County-Poquoson Sheriff's Office for the statewide administration of the Drug Abuse Resistance Education (DARE) program.

3. Subject to the development of criteria for the distribution of grants from the fund, including procedures for the application process and the determination of the actual amount of any grant issued by the department, the department shall award grants to either local law-enforcement agencies, where such local law-enforcement agencies and local school boards have established a collaborative agreement for the employment of school resource officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school resource officers, or to local school divisions for the employment of school security officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school security officers in any public school. The application process shall provide for the selection of either school resource officers, school security officers, or both by localities. The department shall give priority to localities requesting school resource officers, school security officers, or both where no such personnel are currently in place. Localities shall match these funds based on the composite index of local ability-to-pay.

4. Included in this appropriation is \$202,300 the first year and \$202,300 the second year from the general fund for the implementation of a model critical incident response training program

for public school personnel and others providing services to public schools, and the maintenance of a model policy for the establishment of threat assessment teams for each public school, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of public school staff or other students.

5. Included in the amounts appropriated for this item is \$132,254 the first year and \$132,254 the second year from the general fund for the purposes of collection and analysis of data related to school resource officers, pursuant to House Bill 271 of the 2020 Session of the General Assembly.

G. Included in the amounts appropriated in this Item is \$2,500,000 the first year and \$2,500,000 the second year from the general fund for grants to local sexual assault crisis centers (SACCs) and domestic violence programs to provide core and comprehensive services to victims of sexual and domestic violence, including ensuring such services are available and accessible to victims of sexual assault and dating violence committed against college students on- and off-campus.

H.1. Out of the amounts appropriated for this Item, \$2,658,420 the first year and \$2,658,420 the second year from nongeneral funds is provided, to be distributed as follows: for the Southern Virginia Internet Crimes Against Children Task Force, \$1,450,000 the first year and \$1,450,000 the second year; and, for the creation of a grant program to law enforcement agencies for the prevention of internet crimes against children, \$1,208,420 the first year and \$1,208,420 the second year.

2. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces shall each provide an annual report, in a format specified by the Department of Criminal Justice Services, on their actual expenditures and performance results. Copies of these reports shall be provided to the Secretary of Public Safety and Homeland Security, the Chairmen of the Senate Finance and House Appropriations Committees, and Director, Department of Planning and Budget prior to the distribution of these funds each year.

3. Subject to compliance with the reports and distribution thereof as required in paragraph 2 above, the Governor shall allocate all additional funding, not to exceed actual collections, for the prevention of Internet Crimes Against Children, pursuant to § 17.1-275.12, Code of Virginia.

I. Out of the amounts appropriated for this item, \$50,000 the first year and \$50,000 the second year from the general fund is provided for training to local law enforcement to aid in their identifying and interacting with individuals suffering from Alzheimer's and/or dementia.

J.1. Included in the appropriation for this item is \$2,500,000 the first year and \$2,500,000 the second year from the general fund to continue the pilot programs authorized in Item 398, Chapter 836, 2017 Acts of Assembly. The number of pilot sites shall not be expanded beyond those participating in the pilot program the first year.

2. The funding provided to each pilot site shall supplement, not supplant, existing local spending on these services. Distribution of grant amounts shall be made quarterly pursuant to the conditions of paragraph J.3. of this item.

3. The Department shall collect on a quarterly basis qualitative and quantitative data of pilot site performance, to include: (i) mental health screenings and assessments provided to inmates, (ii) mental health treatment plans and services provided to inmates, (iii) jail safety incidents involving inmates and jail staff, (iv) the provision of appropriate services after release, (v) the number of inmates re-arrested or re-incarcerated within 90 days after release following a positive identification for mental health disorders in jail or the receipt of mental health treatment within the facility. The Department shall provide a report on its findings to the Chairmen of the House Appropriations and Senate Finance Committees no later than October 15th each year.

4. The department is authorized to expend up to \$125,000 per year out of the amounts allocated in Paragraph J.1. of this item for costs related to the administration of the jail mental health pilot program.

K. Included in the appropriations for this Item is \$300,000 the first year and \$300,000 the second year from the general fund for the Department of Criminal Justice Services to make competitive grants to nonprofit organizations to support services for law enforcement, including post critical incident seminars and peer-supported critical incident stress management programs to promote officer safety and wellness, under guidelines to be established by the Department. The Department shall evaluate the effectiveness of the program and report on its findings to the Secretary of Public Safety and Homeland Security, the Director of the Department of Planning

and Budget, and the Chairmen of the House Appropriations and Senate Finance Committees by July 1, 2022.

L. Included in the appropriation for this item is \$916,066 in the first year and \$916,066 in the second year from the general fund for the Virginia Beach Correctional Center for the Jail and Re-entry Service Coordination Pathway, which is a joint operation between the Virginia Beach Department of Human Services and the Virginia Beach Sheriff's Office. The program consists of diversion, screening, assessment, treatment, and re-entry services for all incarcerated individuals with an active mental illness or substance use disorder diagnosis.

M. Included in this appropriation for this item, \$2,645,244 the first year and \$193,658 the second year from the general fund and two positions for the Department of Criminal Justice Services to make competitive grants to five localities to support evidence-based gun violence intervention and prevention initiatives. The Department shall evaluate the implementation and effectiveness of the programs in each locality that received the award, and provide a report that details the amount awarded, its findings and recommendations to the Governor, Secretary of Public Safety and Homeland Security, Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and the Senate Finance Committees by November 1, 2021. The funding provided to each locality shall supplement, not supplant, existing local spending on these services.

N. Out of the appropriation in this item, \$1,500,000 the first year and \$1,500,000 the second year from the general fund is allocated for the Department of Criminal Justices Services to make competitive grants to localities to combat hate crimes, including but not limited to target hardening activities, contractual security services, critical technology infrastructure, cybersecurity resilience activates, monitoring, inspection and screening systems; security-related training for employed or volunteer security staff; and terrorism awareness training for employees. The funds appropriated in this item shall be distributed to localities that have established a partnership program with institutions or nonprofit organizations that have been targets of or are at risk of being targeted for hate crimes. The Department shall establish grant guidelines to implement these provisions and shall provide a biennial or annual request for funding from localities, based on the guidelines. For each grant requested, the application shall document the need for the grant, goals, and budget expenditure of these funds and any other sources that may be committed by localities, institutions or nonprofit organizations. Funding provided in this item shall not be used to supplant the funding provided by localities to combat hate crimes.

O.1. The Department of Criminal Justice Services shall review the feasibility and costs to the Commonwealth and localities for the implementation of a pilot program, operated in partnership with one or more participating localities identified by the department, to assess the operation of a uniform reporting mechanism for appropriate criminal justice agencies, as identified in § 9.1-101, Code of Virginia, to collect data relating to bail determinations made by judicial officers conducting hearings pursuant to § 19.2-80, § 19.2-120, or § 19.2-124 of the Code of Virginia, in order to facilitate the purpose of Article 1 (§ 19.2-119 et seq.) of Chapter 9 of Title 19.2 of the Code of Virginia.

2. As part of its review, the department shall identify the methods, feasibility and costs associated with collecting, at minimum, the following information from localities participating in the pilot program: (i) the hearing date of any hearing conducted pursuant to § 19.2-80, § 19.2-120, or § 19.2-124 of the Code of Virginia and the date any individual is admitted to bail; (ii) information about the individual, including the individual's year of birth, race, ethnicity, gender, primary language, and residential zip code; (iii) the determination of the individual's indigency pursuant to § 19.2-159 of the Code of Virginia; (iv) information related to the individual's charges, including the number of charges; the most serious offense the individual is charged with; the code section for such offense; the general description of such offense; whether such offense is a felony, misdemeanor, civil infraction, or other type of offense; and the specific classification of any felony or misdemeanor offense; (v) if the individual is admitted to bail, information related to the conditions of bail and the bond, including whether the bond was secured or unsecured; all monetary amounts set on the bond, including amounts set on both secured and unsecured bonds; any initial nonmonetary conditions of release imposed; any subsequent modifications; and whether the individual utilized the services of a bail bondsman; (vi) if the individual is not admitted to bail, the reason for the denial; (vii) any outstanding arrest warrants or other bars to release from any other jurisdiction; (viii) any revocation of bail due to a violation of such individual's conditions of release, failure to appear for a court hearing, or the commission of a new offense by such individual; (ix) the date the individual is sentenced to an active term of incarceration and the date such individual begins serving such active term; (x) all dates the individual is released or discharged from custody, including release upon satisfaction of the terms of any recognizance, release upon the disposition of any charges, or release upon completion of any active sentence; (xi) the reason for any release or discharge from custody, including whether the individual posted a bond, was released on a recognizance, or was released under terms of supervision, or whether there was a disposition of the charges that resulted in release of the individual. If the reason for release is due to a court order or a disposition of the charges resulting in release, the data collected shall include the specific reason for release, including the nature of the court order or, if there was a conviction, the particular sentence imposed. The data shall also include a list of definitions of any terms used by the locality to indicate reasons for release or discharge; and (xii) the average cost for housing the individual in the local correctional facility, as defined in § 53.1-1, Code of Virginia, for one night. Collected data shall be disaggregated by individual, and for each individual case, an anonymous unique

identifier shall be provided.

3. The department shall provide its findings and recommendations to the Chairs of the House Appropriations, House Courts of Justice, Senate Finance and Appropriations, and Senate Judiciary Committees no later than October 15, 2020.

P. Out of this appropriation, \$500,000 the first year from the general fund is provided for the Department of Criminal Justice Services to award grants to localities for training related to enforcement of the removal of firearms based on substantial risk protective orders.

Q. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund shall be provided for the Department of Criminal Justice Services to contract with Ayuda to provide immigrants legal, social, and language services for low-income victims of crime, including victims of domestic violence, sexual assault, human trafficking and child abuse, abandonment, and neglect. The services provided shall include case management, emergency client assistance, and mental health services in the preferred language of clients.

R. Out of this appropriation, \$150,000 the first year from the general fund is provided for community assessments for youth and gang violence prevention initiatives in Hampton, Newport News, Norfolk, Richmond, Roanoke, and Petersburg.

S.1. Included within the appropriation for this item is \$6,402,200 in the first year from the general fund to be deposited to the Body Worn Camera Fund established pursuant to SB 5052 of the 2020 Special Session I. The Department shall make grants to law enforcement agencies located in the Commonwealth employing law enforcement officers with primary law enforcement duties, including but not limited to state agencies, local agencies, and colleges and universities, for the purpose of purchasing, operating, and maintaining body-worn camera systems. Qualified uses for grant funds shall include one-time costs associated with such body-worn camera systems, to include equipment, data storage, and technology costs, and other one-time costs associated with the purchase, operation, and maintenance of body-worn camera systems, as determined to be eligible by the Department.

2. The funding in this paragraph also includes \$56,895 in the first year and \$113,790 in the

second year from the general fund for a coordinator position to manage the Body Worn Camera Grant program.

3. Any distributions made to a local law enforcement agency under this paragraph shall require a 50 percent match from local fund sources.

4. The Department shall report on the distributions made from the Fund to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by September 30, 2021. The report shall include information on distributions made by agency, description and amount of equipment purchased per agency, and any balances remaining in the Fund."

Explanation:

(This amendment provides one-time funding of \$6.4 million from the general fund for the Department to make grants to law enforcement agencies to support one-time costs for the purchase, operation, or maintenance of body worn camera systems. The funding is intended to be available to any law enforcement agency in the Commonwealth. An agency may apply for funding for accessory equipment if it has already purchased body-worn camera equipment. The amendment also provides \$56,895 GF in the first year and \$113,790 GF in the second year for a program coordinator position to manage the Body Worn Camera grants.)

		Item 425 #1s	
Public Safety and Homeland Security	FY20-21	FY21-22	
Department of State Police	\$0 0.00	\$1,151,497 26.00	GF FTE

Language:

Page 189, line 33, strike "\$68,861,090" and insert "\$70,012,587".

Page 189, line 33, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: §§ 18.2-308.2:2, 19.2-387, 19.2-388, 27-55, 52-4, 52-4.4, 52-8.5, 52-12, 52-13, 52-15, 52-16, 52-25 and 52-31 through 52-34, Code of Virginia.

A.1. It is the intent of the General Assembly that wireless 911 calls be delivered directly by the Commercial Mobile Radio Service (CMRS) provider to the local Public Safety Answering Point (PSAP), in order that such calls be answered by the local jurisdiction within which the call originates, thereby minimizing the need for call transfers whenever possible.

2. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, \$3,700,000 the first year and \$3,700,000 the second year from the Wireless E-911 Fund is included in this appropriation for telecommunications to offset dispatch center operations and related costs incurred for answering wireless 911 telephone calls.

B. Out of the Motor Carrier Special Fund, \$900,000 the first year and \$900,000 the second year shall be disbursed on a quarterly basis to the Department of State Police.

C.1. This appropriation includes \$9,175,535 the first year and \$9,175,535 the second year from the general fund for maintaining the Statewide Agencies Radio System (STARS).

2. The Secretary of Public Safety and Homeland Security, in conjunction with the STARS Management Group and the Superintendent of State Police, shall provide a status report on (1) annual operating costs; (2) the status of site enhancements to support the system; (3) the project timelines for implementing the enhancements to the system; and (4) other matters as the secretary may deem appropriate. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1 of each year.

3. Any bond proceeds authorized for the STARS project that remain after the full implementation of the STARS network shall be made available for the STARS equipment needs of the Department of Military Affairs.

4. Any general fund appropriation given for STARS operating and maintenance under the service area 30204, is designated for such purposes. If the Department of State Police cannot expend its STARS appropriation within a given fiscal year, there shall remain an appropriation balance at the end of the fiscal year. The Department may request a discretionary re-appropriation in the subsequent year as provided in § 4-1.05 of this act if necessary for the

payment of preexisting obligations for the purchase of goods or services.

D. The department shall deposit to the general fund an amount estimated at \$100,000 the first year and \$100,000 the second year resulting from fees generated by additional criminal background checks of local job applicants and prospective licensees collected pursuant to § 15.2-1503.1 of the Code of Virginia.

E. 1. Notwithstanding the provisions of §§ 19.2-386.14, 38.2-415, 46.2-1167 and 52-4.3, Code of Virginia, the Department of State Police may use revenue from the State Asset Forfeiture Fund, the Insurance Fraud Fund, the Drug Investigation Trust Account – State, and the Safety Fund to modify, enhance or procure automated systems that focus on the Commonwealth's law enforcement activities and information gathering processes.

F. The Superintendent of State Police is authorized to and shall establish a policy and reasonable fee to contract for the bulk transmission of public information from the Virginia Sex Offender Registry. Any fees collected shall be deposited in a special account to be used to offset the costs of administering the registry. The State Superintendent of State Police shall charge no fee for the transfer of any information from the Virginia Sex Offender Registry to the Statewide Automated Victim Notification (SAVIN) system.

G.1. The Virginia State Police shall, upon request, provide to the Department of Behavioral Health and Developmental Services any information it possesses as a result of carrying out the provisions of §§ 19.2-389, 37.2-819 and 64.2-2014, Code of Virginia, to enable the Department to make anonymous the data held pursuant to those provisions and link it with other relevant data held by the Commonwealth for the purpose of evaluating the impact of carrying out these provisions on the public health and safety, pursuant to a grant from the National Science Foundation to Duke University and a subcontract with the University of Virginia.

2. The Department of State Police shall, upon request, provide to the Department of Juvenile Justice any information it possesses as a result of carrying out the provisions of §§ 16.1-337.1, 19.2-389, 19.2-389.1, 37.2-819 and 64.2-2014, Code of Virginia, to enable the Department to link the data held pursuant to those provisions with other relevant data held by the Commonwealth, and then to de-identify it, for the purpose of evaluating the impact of carrying out these provisions on the public health and safety, pursuant to a research grant to Duke University and a subcontract with the University of Virginia.

H. Included in the amounts provided for this Item is \$99,479 the first year and \$99,479 the second year from the general fund for the public safety information exchange program with those states that share a border with Canada or Mexico and are willing to participate in the exchange program pursuant to § 2.2-224.1, Code of Virginia.

I. Included in this appropriation is \$620,371 the first year and \$620,371 the second year from the general fund for the annual debt service for the Department to purchase fixed repeaters for the Statewide Agencies Radio System (STARS) through the Department of Treasury's Master Equipment Leasing Program.

J. Included within this appropriation is \$350,200 the first year and \$350,200 the second year from the general fund to support maintenance costs of the state's Commonwealth Link to Interoperable Communications (COMLINC) system.

K. Included within this appropriation is \$300,000 the first year and \$300,000 the second year and four positions to support the COMLINC system.

L. Included in the amounts provided for in this Item is \$675,000 the first year for training and project management costs to upgrade the STARS system. Of this amount, \$500,000 shall not be allotted until the project management costs are determined to be ineligible costs for a bond-funded capital project.

M. Included within the amounts for this item is \$211,947 the first year and \$211,947 the second year and three positions from the general fund for the Department to address the recommendation of the Crime Commission to provide a reference to the "Hold File" for criminal history records checks.

N. Included within the appropriation for this item is \$110,000 the first year from the general fund for the establishment of a cold case searchable electronic database, consistent with the provisions of House Bill 1024 of the 2020 Session of the General Assembly.

O. Included in the amounts appropriated in this item is \$4,480,829 the first year and \$1,479,302 the second year from the general fund to comply with and implement the provisions of the Community Policing Act pursuant to House Bill 1250 of the 2020 Session of the General Assembly.

P. Included within the appropriation for this item is \$1,151,497 and 26 positions in the second year from the general fund for the Department to support the processing of additional expungements that may be ordered pursuant to SB 5043 of the 2020 Special Session I. The funding identified in the second year includes \$46,078 from the general fund for the Department to rent office space for the employees. These amounts and positions in this paragraph are in addition to existing funding under this item which supports 10 additional positions in the expungement division."

Explanation:

(This amendment provides funding in the second year for 22 program support technicians, 3 office supervisors, one program support manager, as well as one-time furniture costs, and ongoing funding for information technology and new office space, that were identified as needs related to SB 5043. Based on the delayed enactment of SB 5043, the second year costs are prorated for six months of funding.)

	Item 427 #1s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of State Police	\$165,917	\$278,976 GF
	3.00	3.00 FTE

Language:

Page 189, line 36, strike "\$32,570,900" and insert "\$32,736,817".

Page 189, line 35, strike "\$32,070,900" and insert "\$32,349,876".

Page 190, after line 33, insert:

"D. Included within the appropriation for this Item is \$165,917 in the first year and \$278,976 in the second year and three positions from the general fund for the Department to uphold the requirements of SB 5030 to share information with an attorney for the Commonwealth. Of these amounts, \$100,960 in the first year and \$65,207 in the second year for operational support for the positions, including information technology expenses, furniture, and shipping expenses."

Explanation:

(This amendment provides \$0.2 million GF in the first year and \$0.3 million GF in the second year and 3 FTEs for the Department to hire two office services assistants and one agency management analyst, as well as funding for information technology support for the positions, \$60,000 per year for postage and secure shipping supplies, and \$17,105 in one-time office furniture costs in the first year, to uphold the requirements of SB 5030.)

Item 429 #1s

Public Safety and Homeland Security	FY20-21	FY21-22	
Virginia Parole Board	\$33,993 1.00	\$67,986 1.00	GF FTE

Language:

Page 191, line 10, strike "\$2,330,525" and insert "\$2,364,518".

Page 191, line 10, strike "\$2,330,525" and insert "\$2,398,511".

Explanation:

(This amendment provides the Board with funding for one full-time position to support the requirements of SB 5012 and SB 5050. Item 429 will be set out upon the enrolling of the bill.)

Item 429 #2s

Public Safety and Homeland Security	FY20-21	FY21-22	
Virginia Parole Board	\$19,512	\$39,023	GF

Language:

Page 191, line 10, strike "\$2,330,525" and insert "\$2,350,037".

Page 191, line 10, strike "\$2,330,525" and insert "\$2,369,548".

Explanation:

(This amendment funds a part-time position to support the Board in carrying out the identical provisions of SB 5034 and SB 5018, which provide eligibility for compassionate release for terminally ill state inmates, based on review by the Board. Item 429 will be set out upon enrolling of the bill.)

Item 436 #1s

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, after line 44, insert:

“Q. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit (1) Class B driver training schools and (2) computer-based driver education providers, as defined in § 46.2-1700, to administer the end-of-course driver's education test online subject to the requirements prescribed by the Commissioner. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit Class B driver training schools with a valid Virginia license to administer their in-class curriculum on an online platform subject to the requirements prescribed by the Commissioner. Notwithstanding the provisions of § 22.1-205, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit the parent/student driver education component of the driver's education course to be administered online subject to the requirements prescribed by the Commissioner.”

Explanation:

(This amendment provides the DMV Commissioner flexibility to allow driver training schools providing training and skills testing for regular driver's license applicants to administer certain portions of the driver education curriculum on an online platform subject to requirements prescribed by the Commissioner during a declared state of emergency.)

Item 436 #2s

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, following line 44, insert:

"Q. Notwithstanding the provisions of subsection E of § 18.2-271.1 of the Code of Virginia, if a person's license to operate a motor vehicle, engine, or train in the Commonwealth has been suspended or revoked pursuant to former § 18.2-259.1 or 46.2-390.1, a court may, in its discretion and for good cause shown, issue a restricted permit to operate a motor vehicle for any purpose set forth in subsection E of § 18.2-271.1. No restricted license issued pursuant to this paragraph shall permit any person to operate a commercial motor vehicle as defined in the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.). The court shall forward to the Commissioner of the Department of Motor Vehicles a copy of its order entered pursuant to this paragraph, which shall specifically enumerate the restrictions imposed and contain such information regarding the person to whom such a permit is issued as is reasonably necessary to identify such person. The court shall also provide a copy of its order to the person so convicted

who may operate a motor vehicle on the order until receipt from the Commissioner of the Department of Motor Vehicles of a restricted license, if the order provides for a restricted license for that time period. A copy of such order and, after receipt thereof, the restricted license shall be carried at all times by such person while operating a motor vehicle. Any person who operates a motor vehicle in violation of any restrictions imposed pursuant to this paragraph is guilty of a violation of § 46.2-301."

Explanation:

(This amendment provides courts with the authority to grant restricted driving privileges for individuals suspended for drug violations under former §§ 18.2-259.1 and 46.2-390.1.)

	Item 477 #1s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$18,432,910	\$0 GF

Language:

Page 204, line 6, strike "\$139,552,150" and insert "\$157,985,060".

Page 204, line 6, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Compensation and Benefits Adjustments (75700)	\$139,552,150 \$157,985,060	\$213,830,664
Adjustments to Employee Compensation (75701)	\$119,985,353 \$138,418,263	\$151,893,587
Adjustments to Employee Benefits (75702)	\$19,566,797	\$61,937,077
Fund Sources: General	\$139,552,150 \$157,985,060	\$213,830,664

Authority: Discretionary Inclusion.

A. Transfers to or from this Item may be made to decrease or supplement general fund

appropriations to state agencies for:

1. Adjustments to base rates of pay;
2. Adjustments to rates of pay for budgeted overtime of salaried employees;
3. Salary changes for positions with salaries listed elsewhere in this act;
4. Salary changes for locally elected constitutional officers and their employees;
5. Employer costs of employee benefit programs when required by salary-based pay adjustments;
6. Salary changes for local employees supported by the Commonwealth, other than those funded through appropriations to the Department of Education; and
7. Adjustments to the cost of employee benefits to include but not be limited to health insurance premiums and retirement and related contribution rates.

B. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes stated in paragraph A of this Item, as determined by the Department of Planning and Budget, and subject to guidelines prescribed by the department. Further, the Department of Planning and Budget may transfer appropriations within this Item from the second year of the biennium to the first year, when necessary to accomplish the purposes stated in paragraph A of this Item.

C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by nongeneral fund sources, shall pay the proportionate share of changes in salaries and benefits as required by this Item, subject to the rules and regulations prescribed by the appointing or governing authority of such agencies. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.

D. Any supplemental salary payment to a state employee or class of state employees by a local

governing body shall be governed by a written agreement between the agency head of the employee or class of employees receiving the supplement and the chief executive officer of the local governing body. Such agreement shall also be reviewed and approved by the Director of the State Department of Human Resource Management. At a minimum, the agreement shall specify the percent of state salary or fixed amount of the supplement, the resultant total salary of the employee or class of employees, the frequency and method of payment to the agency of the supplement, and whether or not such supplement shall be included in the employee's state benefit calculations. A copy of the agreement shall be made available annually to all employees receiving the supplement. The receipt of a local salary supplement shall not subject employees to any personnel or payroll rules and practices other than those promulgated by the State Department of Human Resource Management.

E. The Governor is hereby authorized to transfer funds from agency appropriations to the accounts of participating state employees in such amounts as may be necessary to match the contributions of the qualified participating employees, consistent with the requirements of the Code of Virginia governing the deferred compensation cash match program. Such transfers shall be made consistent with the following:

1. The maximum cash match provided to eligible employees shall not be less than \$20.00 per pay period, or \$40.00 per month, in each year of the biennium. The Governor may direct the agencies of the Commonwealth to utilize funds contained within their existing appropriations to meet these requirements.
2. The Governor may direct agencies supported in whole or in part with nongeneral funds to utilize existing agency appropriations to meet these requirements. Such nongeneral revenues and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b of this act. The use of such nongeneral funds shall be consistent with any existing conditions and restrictions otherwise placed upon such nongeneral funds.
3. The procurement of services related to the implementation of this program shall be governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.

F. The Secretary of Administration, in conjunction with the Secretary of Finance, may establish a program that allows for the sharing of cost savings from improved productivity, efficiency, and performance with agencies and employees. Such gain sharing programs require a management philosophy of open communication encouraging employee participation; a system which seeks, evaluates and implements employee input on increasing productivity; and a formula for measuring productivity gains and sharing these gains between employees and the agency. The Department of Human Resource Management, in conjunction with the Department

of Planning and Budget, shall develop specific gain sharing program guidelines for use by agencies. The Department of Human Resource Management shall provide to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees an annual report no later than October 1 of each year detailing identified savings and their usage.

G.1. Out of the appropriation for this Item, an amount estimated at \$41,227,641 the second year from the general fund shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.

2. Notwithstanding any contrary provision of law, the health benefit plans for state employees resulting from the additional funding in this Item shall allow for a portion of employee medical premiums to be charged to employees.

3. The Department of Human Resource Management shall explore options within the health insurance plan for state employees to promote value-based health choices aimed at creating greater employee satisfaction with lower overall health care costs. It is the General Assembly's intent that any savings associated with this employee health care initiative be retained and used towards funding state employee salary or fringe benefit cost increases.

4. Notwithstanding any other provision of law, it shall be the sole responsibility and authority of the Department of Human Resource Management to establish and enforce employer contribution rates for any health insurance plan established pursuant to §2.2-2818, Code of Virginia.

5. The Department of Human Resource Management is prohibited from establishing a retail maintenance network for maintenance drugs that includes penalties for non-use of the retail maintenance network.

6. The Department of Human Resource Management shall not increase the annual out-of-pocket maximum included in the plans above the limits in effect for the plan year which began on July 1, 2014.

7. The Department of Human Resource Management shall include language in all contracts, signed on or after July 1, 2018, with third party administrators of the state employee health plan requiring the third party administrators to: 1) maintain policies and procedures for transparency

in their pharmacy benefit administration programs; 2) transparently provide information to state employees through an explanation of benefits regarding the cost of drug reimbursement; dispensing fees; copayments; coinsurance; the amount paid to the dispensing pharmacy for the claim; the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager; and the amount charged by the third party administrator to the Commonwealth; and 3) provide a report to the Department of Human Resource Management of the aggregate difference in amounts between reimbursements made to pharmacies for claims covered by the state employee insurance plan, the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager, and the amount charged by the third party administrator to the Commonwealth as well as an explanation for any difference.

8. Notwithstanding the provisions of § 38.2-3418.17 and any other provision of law, effective October 1, 2018, the Department of Human Resource Management shall provide coverage under the state employee health insurance program for the treatment of autism spectrum disorder through the age of eighteen.

H.1. Contribution rates paid to the Virginia Retirement System for the retirement benefits of public school teachers, state employees, state police officers, state judges, and state law enforcement officers eligible for the Virginia Law Officers Retirement System shall be based on a valuation of retirement assets and liabilities that are consistent with the provisions of Chapters 701 and 823, Acts of Assembly of 2012.

2. Retirement contribution rates, excluding the five percent employee portion, shall be as set out below and include both the regular contribution rate and for the public school teacher plan the rate calculated by the Virginia Retirement System actuary for the 10-year payback of the retirement contribution payments deferred for the 2010-12 biennium:

	FY 2021	FY 2022
Public school teachers	16.62%	16.62%
State employees	14.46%	14.46%
State Police Officers' Retirement System	26.33%	26.33%
Virginia Law Officers' Retirement System	21.90%	21.90%
Judicial Retirement System	29.84%	29.84%

3. Payments of all required contributions and insurance premiums to the Virginia Retirement System and its third-party administrators, as applicable, shall be made no later than the tenth day following the close of each month of the fiscal year.

4. Out of the appropriation for this Item, amounts estimated at \$15,893,697 the first year and \$16,578,460 the second year, from the general fund shall be transferred to state agencies and institutions of higher education, to support the general fund portion of costs associated with changes in employer contributions for state employee retirement as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for retirement contributions are appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer retirement contribution rate for public school teachers is appropriated elsewhere in this act under Direct Aid to Public Education.

I. Rates paid to the Virginia Retirement System on behalf of employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local public school divisions (only to the extent that the employer contribution rate is not otherwise specified in this act), and (v) other political subdivisions shall be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to § 51.1-145(I), Code of Virginia.

J. The Virginia Retirement System Board of Trustees shall account for the employer retirement contribution payments for the public school teacher plan deferred for the 2010-2012 biennium based on limiting employer retirement contributions to the Virginia Retirement System to the actuarial normal cost. In setting the employer retirement contribution rates for the public school teacher plan for subsequent biennia, the board shall calculate a separate, supplemental employer contribution rate that will amortize such deferred payments over a period of ten years using the board's assumed long-term rate of return. The Governor shall include funds to support payment of the approved state portion of such board-approved, supplemental employer contribution rates for the public school teacher plan in the budget submitted to the General Assembly.

K.1. Contribution rates paid to the Virginia Retirement System for other employee benefits to include the public employee group life insurance program, the Virginia Sickness and Disability Program, the state employee retiree health insurance credit, and the public school teacher retiree health insurance credit, shall be based on a valuation of assets and liabilities that assume an

investment return of seven percent and an amortization period of 30 years, except beginning in fiscal year 2021 the state employee retiree health credit amortization period shall be reduced by 5 years.

2. Contribution rates paid on behalf of public employees for other programs administered by the Virginia Retirement System shall be:

	FY 2021	FY 2022
State employee retiree health insurance credit	1.25%	1.25%
Public school teacher retiree health insurance credit	1.21%	1.21%
State employee group life insurance program	1.34%	1.34%
Employer share of the public school teacher group life insurance program	0.54%	0.54%
Virginia Sickness and Disability Program	0.61%	0.61%

3. Funding for the Virginia Sickness and Disability Program is calculated on a rate of 0.56 percent of total payroll.

4. Out of the appropriation for this Item, amounts estimated at \$3,980,010 the first year and \$4,153,072 the second year, from the general fund shall be transferred to state agencies and institutions of higher education, to support the general fund portion of costs associated with changes in employer contributions for state employee benefits as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for public employee group life insurance contributions is appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer public school teacher group life insurance and retiree health insurance credit rates is appropriated elsewhere in this act under Direct Aid to Public Education.

L.1. The retiree health insurance credit contribution rates for the following groups of state

supported local public employees shall be: 0.36 percent for constitutional officers and employees of constitutional officers 0.38 percent for employees of local social services boards, and 0.39 percent for General Registrars and employees of General Registrars.

2. The Director, Department of Planning and Budget, shall withhold and transfer to this Item amounts estimated at \$55,805 the first year and \$55,805 the second year to reflect the general fund portion of the net savings resulting from changes in the retiree health insurance credit contribution rates for state supported local public employees through the Compensation Board, the Department of Social Services, and the Department of Elections pursuant to § 51.1-1403, Code of Virginia.

M.1. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia for employees who are involuntarily separated from employment with the Commonwealth if the Director of the Department of Planning and Budget certifies that such action results from 1. budget reductions enacted in the Appropriation Act, 2. budget reductions executed in response to the withholding of appropriations by the Governor pursuant to §4-1.02 of the Act, 3. reorganization or reform actions taken by state agencies to increase efficiency of operations or improve service delivery provided such actions have been previously approved by the Governor, or 4. downsizing actions taken by state agencies as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue, and if the Director of the Department of Human Resource Management certifies that the action comports with personnel policy. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

2. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia, for employees who are involuntarily separated from employment with the Commonwealth if the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules have certified on or after July 1, 2016, that such action results from 1. budget reductions enacted in the Appropriation Act pertaining to the Legislative Department; 2. reorganization or reform actions taken by agencies in the legislative branch of state government to increase efficiency of operations or improve service delivery provided such actions have been approved by the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules; or 3. downsizing actions taken by agencies in the legislative branch of state government as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue and if the applicable agency certifies that the actions comport with the provisions of and related policies associated with the Workforce Transition Act. Under these conditions, the entire cost of such benefits for involuntarily

separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

N. The purpose of this paragraph is to provide a transitional severance benefit, under the conditions specified, to eligible city, county, school division or other political subdivision employees who are involuntarily separated from employment with their employer.

1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from employment with the employer, or being placed on leave without pay-layoff or equivalent status, due to budget reductions, employer reorganizations, workforce downsizings, or other causes not related to the job performance or misconduct of the employee, but shall not include voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an employee who is involuntarily separated from employment with his employer.

b. The governing authority of a city, county, school division or other political subdivision electing to cover its employees under the provisions of this paragraph shall adopt a resolution, as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An election by a school division shall be evidenced by a resolution approved by the Board of such school division and its local governing authority.

2.a. Any (i) "eligible employee" as defined in § 51.1-132, (ii) "teacher" as defined in § 51.1-124.3, and (iii) any "local officer" as defined in § 51.1-124.3 except for the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or sheriff of any county or city, and (a) for whom reemployment with his employer is not possible because there is no available position for which the employee is qualified or the position offered to the employee requires relocation or a reduction in salary and (b) whose involuntary separation was due to causes other than job performance or misconduct, shall be eligible, under the conditions specified, for the transitional severance benefit conferred by this paragraph. The date of involuntary separation shall mean the date an employee was terminated from employment or placed on leave without pay-layoff or equivalent status.

b. Eligibility shall commence on the date of involuntary separation.

3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or less to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary; (ii) three years through and including nine years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to four

weeks of salary plus one additional week of salary for every year of service over two years; (iii) ten years through and including fourteen years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to twelve weeks of salary plus two additional weeks of salary for every year of service over nine years; or (iv) fifteen years or more of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to two weeks of salary for every year of service, not to exceed thirty-six weeks of salary.

b. Transitional severance benefits shall be computed by the terminating employer's payroll department. Partial years of service shall be rounded up to the next highest year of service.

c. Transitional severance benefits shall be paid by the employer in the same manner as normal salary. In accordance with § 60.2-229, transitional severance benefits shall be allocated to the date of involuntary separation. The right of any employee who receives a transitional severance benefit to also receive unemployment compensation pursuant to § 60.2-100 et seq. shall not be denied, abridged, or modified in any way due to receipt of the transitional severance benefit; however, any employee who is entitled to unemployment compensation shall have his transitional severance benefit reduced by the amount of such unemployment compensation. Any offset to a terminated employee's transitional severance benefit due to reductions for unemployment compensation shall be paid in one lump sum at the time the last transitional severance benefit payment is made.

d. For twelve months after the employee's date of involuntary separation, the employee shall continue to be covered under the (i) health insurance plan administered by the employer for its employees, if he participated in such plan prior to his date of involuntary separation, and (ii) group life insurance plan administered by the Virginia Retirement System pursuant to Chapter 5 (§ 51.1-500 et seq.) of Title 51.1, or such other group life insurance plan as may be administered by the employer. During such twelve months, the terminating employer shall continue to pay its share of the terminated employee's premiums. Upon expiration of such twelve month period, the terminated employee shall be eligible to purchase continuing health insurance coverage under COBRA.

e. Transitional severance benefit payments shall cease if a terminated employee is reemployed or hired in an individual capacity as an independent contractor or consultant by the employer during the time he is receiving such payments.

f. All transitional severance benefits payable pursuant to this section shall be subject to applicable federal laws and regulations.

4.a. In lieu of the transitional severance benefit provided in subparagraph 3 of this paragraph, any otherwise eligible employee who, on the date of involuntary separation, is also (i) a vested member of a defined benefit plan within the Virginia Retirement System, including the hybrid retirement program described in § 51.1-169, and including a member eligible for the benefits described in subsection B of § 51.1-138, and (ii) at least fifty years of age, may elect to have the employer purchase on his behalf years to be credited to either his age or creditable service or a combination of age and creditable service, except that any years of credit purchased on behalf of a member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, who is eligible for unreduced retirement shall be added to his creditable service and not his age. The cost of each year of age or creditable service purchased by the employer shall be equal to fifteen percent of the employee's present annual compensation. The number of years of age or creditable service to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the cash value of the benefits to which the employee would be entitled under subparagraphs 3.a. and 3.d. of this paragraph by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to the next highest year. Deferred retirement under the provisions of subsection C of §§ 51.1-153 and disability retirement under the provisions of § 51.1-156 et seq., shall not be available under this paragraph.

b. In lieu of the (i) transitional severance benefit provided in subparagraph 3 of this paragraph and (ii) the retirement program provided in this subsection, any employee who is otherwise eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2.

c. The retirement allowance for any employee electing to retire under this paragraph who, by adding years to his age, is between ages fifty-five and sixty-five, shall be reduced on the actuarial basis provided in subdivision A. 2. of § 51.1-155.

d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.

e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System.

f. Notwithstanding the foregoing, the provisions of this paragraph N shall apply to an otherwise eligible employee who is a person who becomes a member on or after July 1, 2010, a person who does not have 60 months of creditable service as of January 1, 2013, or a person who is enrolled in the hybrid retirement program described in § 51.1-169, mutatis mutandis.

O.1. a. In order to address the potential for stranded liability in the Virginia Retirement System,

notwithstanding any other contrary provisions of the Appropriation Act or of § 51.1-145, institutions of higher education that have established their own optional retirement plan under § 51.1-126(B) shall pay, effective July 1, 2019, contributions to the employer's retirement allowance account in an amount equal to that portion of the state employer contribution rate designated to pay down the total unfunded accrued liability, for any positions existing as of December 31, 2011 that are subsequently converted from non-Optional Retirement Plan for Higher Education (ORPHE) eligible positions to ORPHE-eligible positions on or after January 1, 2012 and that are filled by an employee who elects to participate in the ORPHE. In meeting this obligation, each institution shall provide to the Virginia Retirement System by April 1 of each year a list of all positions converted from non-ORPHE eligible positions to ORPHE-eligible positions since January 1, 2012, and whether current employees in such positions have elected ORPHE participation.

b. Such contributions shall not be required for any new position established by the institution after January 1, 2012, that may be eligible for participation in the Optional Retirement Plan for Higher Education.

2. Furthermore, the Department of Accounts, the Virginia Retirement System, and the universities of higher education shall work to develop a methodology to identify and report separately personnel services expenditures for university personnel in positions that use to be classified positions but have been transitioned to university staff positions.

P. 1. Notwithstanding the provisions of § 17.1-327, Code of Virginia, any justice, judge, member of the State Corporation Commission, or member of the Virginia Workers' Compensation Commission who is retired under the Judicial Retirement System and who is temporarily recalled to service shall be reimbursed for actual expenses incurred during such service and shall be paid a per diem of \$250 for each day the person actually sits, exclusive of travel time.

2. Out of the general fund appropriation for this Item, \$500,000 in the first year and \$500,000 in the second year is provided to support the costs resulting from the changes in the per diem amounts provided for in paragraph P.1. The Director, Department of Planning and Budget, shall disburse funding from this Item to all affected judicial and independent agencies upon request.

Q.1. Notwithstanding § 9.1-400, Code of Virginia, or any contrary provision of law, "eligible dependent" for purposes of continued health insurance pursuant to § 9.1-401, Code of Virginia, shall also include the natural or adopted child or children of a "deceased person", as defined in § 9.1-400, Code of Virginia, or "disabled person", as defined in § 9.1-400, Code of Virginia, born as the result of a pregnancy or adoption that occurred after the time of the employee's death or disability and prior to July 1, 2017. Eligibility will continue until the end of the year in which

the eligible dependent reaches age 26 or when the eligible dependent ceases to be eligible based on the Virginia Administrative Code or administrative guidance as determined by the Department of Human Resource Management.

2. Notwithstanding § 9.1-400.1 D, Code of Virginia, the annual contribution for each participating employer shall be based on a premium of \$717.31 per eligible full-time equivalent employee.

3. The Director, Department of Planning and Budget, shall transfer from this Item general fund amounts estimated at \$202,639 the first year and \$202,639 the second year to state agencies and institutions of higher education to support the general fund portion of costs of Line of Duty Act premiums based on the latest enrollment update from the Virginia Retirement System and the premium authorized in this paragraph.

R. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at \$457,852 the first year and \$173,038 the second year from state agencies and institutions of higher education to recognize the general fund portion of savings associated with the latest workers' compensation premiums provided by the Department of Human Resource Management.

S. The following agency heads, at their discretion, may utilize agency funds to implement the provisions of new or existing performance-based pay plans:

1. The heads of agencies in the Legislative and Judicial Departments;
2. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;
3. The Attorney General;
4. The Director of the Virginia Retirement System;
5. The Executive Director of the Virginia Lottery;
6. The Director of the University of Virginia Medical Center;

7. The Chief Executive Officer of the Virginia College Savings Plan;

8. The Executive Director of the Virginia Port Authority; and

9. The Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority.

T. Out of the amounts included in this item, amounts estimated at \$1,398,067 the first year and \$4,627,062 the second year from the general fund is available for transfer to state agencies and institutions of higher education to effectuate the provisions of House Bill 395 and Senate Bill 7 which increases the minimum wage beginning January 1, 2021.

U.1. The Governor is hereby authorized to allocate a sum of up to \$118,087,286 the first year and up to \$146,766,525 the second year from this appropriation, to the extent necessary to offset any downward revisions of the general fund revenue estimate prepared for fiscal years 2021 and 2022, after the enactment by the General Assembly of the 2020 Appropriation Act. If within five days of the preliminary close of the fiscal year ending on June 30, 2020, the Comptroller's analysis does not determine that a revenue re-forecast is required pursuant to § 2.2-1503.3, Code of Virginia, then such appropriation shall be used only for employee compensation purposes as stated in paragraphs V., W., X., Y., Z., AA. and BB. below.

2. Furthermore, the \$95,205,619 the first year and \$194,971,850 the second year from the general fund allocated to support the state share of a two percent salary adjustment the first year and an additional two percent salary adjustment the second year for SOQ funded positions authorized in Item 145 of this act shall be unallotted, if the provisions of paragraph U.1. are not met and the actions authorized in paragraphs V., W., X., Y., Z., AA., and BB. of this item are not effectuated.

V.1. Contingent on the provisions of paragraph U.1. above, \$89,883,598 from the general fund the first year is available to provide all classified employees of the Executive Branch and other full-time employees of the Commonwealth, except elected officials and employees receiving a salary adjustment pursuant to paragraph Z. below, who were employed on April 1, 2020, and remain employed until at least November 24, 2020, a one-time bonus payment equal to three percent of their base pay on December 1, 2020.

2. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the bonus payment authorized in this paragraph only if they have attained an equivalent rating of at least "Contributor" on their performance evaluation and have no active written notices under the Standards of Conduct within the preceding twelve-month period.

3. The governing authorities of the state institutions of higher education may provide the bonus for faculty and university staff based on performance and other employment-related factors, as long as the bonuses do not exceed what the average would have been based on the general methodology authorized in this paragraph.

W. Contingent on the provisions of paragraph U.1, out of amounts appropriated for Employee Compensation in this item, \$20,725,124 from the general fund the first year is provided for a one-time bonus, equal to two percent of their base salary on December 1, 2020 provided that the governing authority of such employees use such funds to support the provision of a bonus for the following listed employees:

a. Locally-elected constitutional officers;

b. General Registrars and members of local electoral boards;

c. Full-time employees of locally-elected constitutional officers and,

d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

X.1. Contingent on the provisions of paragraph U.1. above, \$109,353,218 from the general fund the second year is provided to increase the base salary of the following employees by three percent on June 10, 2021:

a. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;

- b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;

- c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c;

- d. Full-time staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries' Offices, including the Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office;

- e. Heads of agencies in the Legislative Department;

- f. Full-time employees in the Legislative Department, other than officials elected by popular vote;

- g. Legislative Assistants as provided for in Item 1 of this act;

- h. Judges and Justices in the Judicial Department;

- i. Heads of agencies in the Judicial Department;

- j. Full-time employees in the Judicial Department;

- k. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Chief Executive Officer of the Virginia College Savings Plan, and the Directors of the Virginia Lottery, and the Virginia Retirement System; and

- l. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the Virginia Lottery, Virginia Workers' Compensation Commission, and the Virginia Retirement System.

2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.

b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative Departments, employees of Independent agencies, and employees of the Executive Department not subject to the Virginia Personnel Act shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. However, notwithstanding anything herein to the contrary, the governing authorities of those state institutions of higher education with employees not subject to the Virginia Personnel Act may implement salary increases for such employees that may vary based on performance and other employment-related factors. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.

3. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan by three percent on June 10, 2021. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances when employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.

4. The following agency heads, at their discretion, may utilize agency funds or the funds provided pursuant to this paragraph to implement the provisions of new or existing performance-based pay plans:

a. The heads of agencies in the Legislative and Judicial Departments;

b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;

c. The Attorney General;

d. The Director of the Virginia Retirement System;

- e. The Director of the Virginia Lottery;
 - f. The Director of the University of Virginia Medical Center;
 - g. The Chief Executive Officer of the Virginia College Savings Plan; and
 - h. The Executive Director of the Virginia Port Authority.
5. The base rates of pay, and related employee benefits, for wage employees may be increased by up to three percent no earlier than June 10, 2021. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.
6. The governing authorities of those state institutions of higher education with employees may provide a salary adjustment based on performance and other employment-related factors, as long as the increases do not exceed the three percent increase on average.
- Y.1. Contingent on the provisions of paragraph U.1. above, the appropriations in this item include funds to increase the base salary of the following employees by three percent on July 1, 2021, provided that the governing authority of such employees use such funds to support salary increases for the following listed employees.
- a. Locally-elected constitutional officers;
 - b. General Registrars and members of local electoral boards;
 - c. Full-time employees of locally-elected constitutional officers and,
 - d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and Comprehensive Community Corrections Act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

2. Out of the appropriation for Supplements to Employee Compensation is included \$28,897,190 the second year from the general fund to support the costs associated with the salary increase provided in this paragraph.

Z. Contingent on the provisions of paragraph U.1. above, \$5,187,764 the first year and \$6,225,317 the second year from the general fund, is available for salary adjustments for sworn officers of the Department of State Police as follows:

a. Sworn employees of the Department of State Police, who have three or more years of continuous state service shall receive \$110 for each full year of service up to thirty years, effective August 10, 2020.

b. Prior to effectuating the salary adjustment authorized in this paragraph, the base salary of all sworn officers of the State Police shall be increased by two percent, effective August 10, 2020.

c. The Department of Human Resource Management shall adjust the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan as needed to effectuate the pay action in this paragraph.

AA. Contingent on the provisions of paragraph U.1. above, included in the appropriation for this item is \$2,290,800 the first year from the general fund to provide a three percent bonus on December 1, 2020 year for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions.

BB. Contingent on the provisions of paragraph U.1. above, included in the appropriation for this item is \$2,290,800 the second year from the general fund to provide a three percent increase in base pay for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions, effective June 10, 2021.

CC. Included in the appropriation for this Item is \$1,031,287 from the general fund in the first year, which shall be made available to provide sworn officers of the Department of State Police, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

DD. Included in the appropriation for this Item is \$44,675 from the general fund in the first year, which shall be made available to provide sworn officers of the Division of Capitol Police, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

EE. Included in the appropriation for this Item is \$3,728,996 from the general fund in the first year, which shall be made available to provide sworn staff of the Department of Corrections and the Department of Juvenile Justice, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

FF. Included in the appropriation for this Item is \$622,985 from the general fund in the first year, which shall be made available to provide sworn officers of state agencies and higher education institutions, not otherwise included in paragraphs CC., DD., and EE., who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

GG. Included in the appropriation for this Item is \$5,518,139 from the general fund in the first year, which shall be made available to provide sworn constitutional officers and their staffs, including sheriffs, sheriffs' deputies, regional jail superintendents and corrections officers, a one-time bonus payment of \$500 on December 1, 2020.

HH. Included in the appropriation for this Item is \$7,783,828 in the first year from the general fund, to be transferred to the Department of Criminal Justice Services, which shall distribute such funds to local police departments statewide for the purpose of providing a one-time bonus payment of \$500 to sworn law-enforcement officers of such police departments to be paid on December 1, 2020."

Explanation:

(This amendment provides funding of \$18.4 million GF the first year for a \$500 one-time bonus payment, effective December 1, 2020, for sworn state law-enforcement personnel of the Department of State Police, the Division of Capitol Police, the Department of Corrections, the Department of Juvenile Justice, and all other state agencies and higher education institutions, as well as sworn state-supported local constitutional officers and their staffs, and regional jail superintendants and their staffs, and sworn officers of local police departments.)

Item 477 #2s

Central Appropriations

FY20-21

FY21-22

Central Appropriations \$0 (\$20,613,821) GF

Language:

Page 204, line 6, strike "\$213,830,664" and insert "\$193,216,843".

Page 204, line 6, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Compensation and Benefits Adjustments (75700)	\$139,552,150	\$213,830,664 \$193,216,843
Adjustments to Employee Compensation (75701)	\$119,985,353	\$151,893,587
Adjustments to Employee Benefits (75702)	\$19,566,797	\$61,937,077 \$41,323,256
Fund Sources: General	\$139,552,150	\$213,830,664 \$193,216,843

Authority: Discretionary Inclusion.

A. Transfers to or from this Item may be made to decrease or supplement general fund appropriations to state agencies for:

1. Adjustments to base rates of pay;
2. Adjustments to rates of pay for budgeted overtime of salaried employees;
3. Salary changes for positions with salaries listed elsewhere in this act;
4. Salary changes for locally elected constitutional officers and their employees;

5. Employer costs of employee benefit programs when required by salary-based pay adjustments;

6. Salary changes for local employees supported by the Commonwealth, other than those funded through appropriations to the Department of Education; and

7. Adjustments to the cost of employee benefits to include but not be limited to health insurance premiums and retirement and related contribution rates.

B. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes stated in paragraph A of this Item, as determined by the Department of Planning and Budget, and subject to guidelines prescribed by the department. Further, the Department of Planning and Budget may transfer appropriations within this Item from the second year of the biennium to the first year, when necessary to accomplish the purposes stated in paragraph A of this Item.

C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by nongeneral fund sources, shall pay the proportionate share of changes in salaries and benefits as required by this Item, subject to the rules and regulations prescribed by the appointing or governing authority of such agencies. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.

D. Any supplemental salary payment to a state employee or class of state employees by a local governing body shall be governed by a written agreement between the agency head of the employee or class of employees receiving the supplement and the chief executive officer of the local governing body. Such agreement shall also be reviewed and approved by the Director of the State Department of Human Resource Management. At a minimum, the agreement shall specify the percent of state salary or fixed amount of the supplement, the resultant total salary of the employee or class of employees, the frequency and method of payment to the agency of the supplement, and whether or not such supplement shall be included in the employee's state benefit calculations. A copy of the agreement shall be made available annually to all employees receiving the supplement. The receipt of a local salary supplement shall not subject employees to any personnel or payroll rules and practices other than those promulgated by the State Department of Human Resource Management.

E. The Governor is hereby authorized to transfer funds from agency appropriations to the

accounts of participating state employees in such amounts as may be necessary to match the contributions of the qualified participating employees, consistent with the requirements of the Code of Virginia governing the deferred compensation cash match program. Such transfers shall be made consistent with the following:

1. The maximum cash match provided to eligible employees shall not be less than \$20.00 per pay period, or \$40.00 per month, in each year of the biennium. The Governor may direct the agencies of the Commonwealth to utilize funds contained within their existing appropriations to meet these requirements.
2. The Governor may direct agencies supported in whole or in part with nongeneral funds to utilize existing agency appropriations to meet these requirements. Such nongeneral revenues and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b of this act. The use of such nongeneral funds shall be consistent with any existing conditions and restrictions otherwise placed upon such nongeneral funds.
3. The procurement of services related to the implementation of this program shall be governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.

F. The Secretary of Administration, in conjunction with the Secretary of Finance, may establish a program that allows for the sharing of cost savings from improved productivity, efficiency, and performance with agencies and employees. Such gain sharing programs require a management philosophy of open communication encouraging employee participation; a system which seeks, evaluates and implements employee input on increasing productivity; and a formula for measuring productivity gains and sharing these gains between employees and the agency. The Department of Human Resource Management, in conjunction with the Department of Planning and Budget, shall develop specific gain sharing program guidelines for use by agencies. The Department of Human Resource Management shall provide to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees an annual report no later than October 1 of each year detailing identified savings and their usage.

G.1. Out of the appropriation for this Item, an amount estimated at ~~\$41,227,641~~ \$20,613,821 the second year from the general fund shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.

2. Notwithstanding any contrary provision of law, the health benefit plans for state employees resulting from the additional funding in this Item shall allow for a portion of employee medical

premiums to be charged to employees.

3. The Department of Human Resource Management shall explore options within the health insurance plan for state employees to promote value-based health choices aimed at creating greater employee satisfaction with lower overall health care costs. It is the General Assembly's intent that any savings associated with this employee health care initiative be retained and used towards funding state employee salary or fringe benefit cost increases.

4. Notwithstanding any other provision of law, it shall be the sole responsibility and authority of the Department of Human Resource Management to establish and enforce employer contribution rates for any health insurance plan established pursuant to §2.2-2818, Code of Virginia.

5. The Department of Human Resource Management is prohibited from establishing a retail maintenance network for maintenance drugs that includes penalties for non-use of the retail maintenance network.

6. The Department of Human Resource Management shall not increase the annual out-of-pocket maximum included in the plans above the limits in effect for the plan year which began on July 1, 2014.

7. The Department of Human Resource Management shall include language in all contracts, signed on or after July 1, 2018, with third party administrators of the state employee health plan requiring the third party administrators to: 1) maintain policies and procedures for transparency in their pharmacy benefit administration programs; 2) transparently provide information to state employees through an explanation of benefits regarding the cost of drug reimbursement; dispensing fees; copayments; coinsurance; the amount paid to the dispensing pharmacy for the claim; the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager; and the amount charged by the third party administrator to the Commonwealth; and 3) provide a report to the Department of Human Resource Management of the aggregate difference in amounts between reimbursements made to pharmacies for claims covered by the state employee insurance plan, the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager, and the amount charged by the third party administrator to the Commonwealth as well as an explanation for any difference.

8. Notwithstanding the provisions of § 38.2-3418.17 and any other provision of law, effective

October 1, 2018, the Department of Human Resource Management shall provide coverage under the state employee health insurance program for the treatment of autism spectrum disorder through the age of eighteen.

H.1. Contribution rates paid to the Virginia Retirement System for the retirement benefits of public school teachers, state employees, state police officers, state judges, and state law enforcement officers eligible for the Virginia Law Officers Retirement System shall be based on a valuation of retirement assets and liabilities that are consistent with the provisions of Chapters 701 and 823, Acts of Assembly of 2012.

2. Retirement contribution rates, excluding the five percent employee portion, shall be as set out below and include both the regular contribution rate and for the public school teacher plan the rate calculated by the Virginia Retirement System actuary for the 10-year payback of the retirement contribution payments deferred for the 2010-12 biennium:

	FY 2021	FY 2022
Public school teachers	16.62%	16.62%
State employees	14.46%	14.46%
State Police Officers' Retirement System	26.33%	26.33%
Virginia Law Officers' Retirement System	21.90%	21.90%
Judicial Retirement System	29.84%	29.84%

3. Payments of all required contributions and insurance premiums to the Virginia Retirement System and its third-party administrators, as applicable, shall be made no later than the tenth day following the close of each month of the fiscal year.

4. Out of the appropriation for this Item, amounts estimated at \$15,893,697 the first year and \$16,578,460 the second year, from the general fund shall be transferred to state agencies and institutions of higher education, to support the general fund portion of costs associated with changes in employer contributions for state employee retirement as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for

retirement contributions are appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer retirement contribution rate for public school teachers is appropriated elsewhere in this act under Direct Aid to Public Education.

I. Rates paid to the Virginia Retirement System on behalf of employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local public school divisions (only to the extent that the employer contribution rate is not otherwise specified in this act), and (v) other political subdivisions shall be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to § 51.1-145(I), Code of Virginia.

J. The Virginia Retirement System Board of Trustees shall account for the employer retirement contribution payments for the public school teacher plan deferred for the 2010-2012 biennium based on limiting employer retirement contributions to the Virginia Retirement System to the actuarial normal cost. In setting the employer retirement contribution rates for the public school teacher plan for subsequent biennia, the board shall calculate a separate, supplemental employer contribution rate that will amortize such deferred payments over a period of ten years using the board's assumed long-term rate of return. The Governor shall include funds to support payment of the approved state portion of such board-approved, supplemental employer contribution rates for the public school teacher plan in the budget submitted to the General Assembly.

K.1. Contribution rates paid to the Virginia Retirement System for other employee benefits to include the public employee group life insurance program, the Virginia Sickness and Disability Program, the state employee retiree health insurance credit, and the public school teacher retiree health insurance credit, shall be based on a valuation of assets and liabilities that assume an investment return of seven percent and an amortization period of 30 years, except beginning in fiscal year 2021 the state employee retiree health credit amortization period shall be reduced by 5 years.

2. Contribution rates paid on behalf of public employees for other programs administered by the Virginia Retirement System shall be:

FY 2021

FY 2022

State employee retiree health insurance credit	1.25%	1.25%
Public school teacher retiree health insurance credit	1.21%	1.21%
State employee group life insurance program	1.34%	1.34%
Employer share of the public school teacher group life insurance program	0.54%	0.54%
Virginia Sickness and Disability Program	0.61%	0.61%

3. Funding for the Virginia Sickness and Disability Program is calculated on a rate of 0.56 percent of total payroll.

4. Out of the appropriation for this Item, amounts estimated at \$3,980,010 the first year and \$4,153,072 the second year, from the general fund shall be transferred to state agencies and institutions of higher education, to support the general fund portion of costs associated with changes in employer contributions for state employee benefits as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for public employee group life insurance contributions is appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer public school teacher group life insurance and retiree health insurance credit rates is appropriated elsewhere in this act under Direct Aid to Public Education.

L.1. The retiree health insurance credit contribution rates for the following groups of state supported local public employees shall be: 0.36 percent for constitutional officers and employees of constitutional officers 0.38 percent for employees of local social services boards, and 0.39 percent for General Registrars and employees of General Registrars.

2. The Director, Department of Planning and Budget, shall withhold and transfer to this Item amounts estimated at \$55,805 the first year and \$55,805 the second year to reflect the general fund portion of the net savings resulting from changes in the retiree health insurance credit contribution rates for state supported local public employees through the Compensation Board, the Department of Social Services, and the Department of Elections pursuant to § 51.1-1403, Code of Virginia.

M.1. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia for employees who are involuntarily separated from employment with the Commonwealth if the Director of the Department of Planning and Budget certifies that such action results from 1. budget reductions enacted in the Appropriation Act, 2. budget reductions executed in response to the withholding of appropriations by the Governor pursuant to §4-1.02 of the Act, 3. reorganization or reform actions taken by state agencies to increase efficiency of operations or improve service delivery provided such actions have been previously approved by the Governor, or 4. downsizing actions taken by state agencies as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue, and if the Director of the Department of Human Resource Management certifies that the action comports with personnel policy. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

2. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia, for employees who are involuntarily separated from employment with the Commonwealth if the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules have certified on or after July 1, 2016, that such action results from 1. budget reductions enacted in the Appropriation Act pertaining to the Legislative Department; 2. reorganization or reform actions taken by agencies in the legislative branch of state government to increase efficiency of operations or improve service delivery provided such actions have been approved by the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules; or 3. downsizing actions taken by agencies in the legislative branch of state government as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue and if the applicable agency certifies that the actions comport with the provisions of and related policies associated with the Workforce Transition Act. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

N. The purpose of this paragraph is to provide a transitional severance benefit, under the conditions specified, to eligible city, county, school division or other political subdivision employees who are involuntarily separated from employment with their employer.

1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from employment with the employer, or being placed on leave without pay-layoff or equivalent status, due to budget reductions, employer reorganizations, workforce downsizings, or other

causes not related to the job performance or misconduct of the employee, but shall not include voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an employee who is involuntarily separated from employment with his employer.

b. The governing authority of a city, county, school division or other political subdivision electing to cover its employees under the provisions of this paragraph shall adopt a resolution, as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An election by a school division shall be evidenced by a resolution approved by the Board of such school division and its local governing authority.

2.a. Any (i) "eligible employee" as defined in § 51.1-132, (ii) "teacher" as defined in § 51.1-124.3, and (iii) any "local officer" as defined in § 51.1-124.3 except for the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or sheriff of any county or city, and (a) for whom reemployment with his employer is not possible because there is no available position for which the employee is qualified or the position offered to the employee requires relocation or a reduction in salary and (b) whose involuntary separation was due to causes other than job performance or misconduct, shall be eligible, under the conditions specified, for the transitional severance benefit conferred by this paragraph. The date of involuntary separation shall mean the date an employee was terminated from employment or placed on leave without pay-layoff or equivalent status.

b. Eligibility shall commence on the date of involuntary separation.

3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or less to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary; (ii) three years through and including nine years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary plus one additional week of salary for every year of service over two years; (iii) ten years through and including fourteen years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to twelve weeks of salary plus two additional weeks of salary for every year of service over nine years; or (iv) fifteen years or more of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to two weeks of salary for every year of service, not to exceed thirty-six weeks of salary.

b. Transitional severance benefits shall be computed by the terminating employer's payroll department. Partial years of service shall be rounded up to the next highest year of service.

c. Transitional severance benefits shall be paid by the employer in the same manner as normal salary. In accordance with § 60.2-229, transitional severance benefits shall be allocated to the date of involuntary separation. The right of any employee who receives a transitional severance benefit to also receive unemployment compensation pursuant to § 60.2-100 et seq. shall not be denied, abridged, or modified in any way due to receipt of the transitional severance benefit; however, any employee who is entitled to unemployment compensation shall have his transitional severance benefit reduced by the amount of such unemployment compensation. Any offset to a terminated employee's transitional severance benefit due to reductions for unemployment compensation shall be paid in one lump sum at the time the last transitional severance benefit payment is made.

d. For twelve months after the employee's date of involuntary separation, the employee shall continue to be covered under the (i) health insurance plan administered by the employer for its employees, if he participated in such plan prior to his date of involuntary separation, and (ii) group life insurance plan administered by the Virginia Retirement System pursuant to Chapter 5 (§ 51.1-500 et seq.) of Title 51.1, or such other group life insurance plan as may be administered by the employer. During such twelve months, the terminating employer shall continue to pay its share of the terminated employee's premiums. Upon expiration of such twelve month period, the terminated employee shall be eligible to purchase continuing health insurance coverage under COBRA.

e. Transitional severance benefit payments shall cease if a terminated employee is reemployed or hired in an individual capacity as an independent contractor or consultant by the employer during the time he is receiving such payments.

f. All transitional severance benefits payable pursuant to this section shall be subject to applicable federal laws and regulations.

4.a. In lieu of the transitional severance benefit provided in subparagraph 3 of this paragraph, any otherwise eligible employee who, on the date of involuntary separation, is also (i) a vested member of a defined benefit plan within the Virginia Retirement System, including the hybrid retirement program described in § 51.1-169, and including a member eligible for the benefits described in subsection B of § 51.1-138, and (ii) at least fifty years of age, may elect to have the employer purchase on his behalf years to be credited to either his age or creditable service or a combination of age and creditable service, except that any years of credit purchased on behalf of a member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, who is eligible for unreduced retirement shall be added to his creditable service and not his age. The cost of each year of age or creditable service purchased by the employer shall be equal to fifteen percent of the employee's present annual

compensation. The number of years of age or creditable service to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the cash value of the benefits to which the employee would be entitled under subparagraphs 3.a. and 3.d. of this paragraph by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to the next highest year. Deferred retirement under the provisions of subsection C of §§ 51.1-153 and disability retirement under the provisions of § 51.1-156 et seq., shall not be available under this paragraph.

b. In lieu of the (i) transitional severance benefit provided in subparagraph 3 of this paragraph and (ii) the retirement program provided in this subsection, any employee who is otherwise eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2.

c. The retirement allowance for any employee electing to retire under this paragraph who, by adding years to his age, is between ages fifty-five and sixty-five, shall be reduced on the actuarial basis provided in subdivision A. 2. of § 51.1-155.

d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.

e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System.

f. Notwithstanding the foregoing, the provisions of this paragraph N shall apply to an otherwise eligible employee who is a person who becomes a member on or after July 1, 2010, a person who does not have 60 months of creditable service as of January 1, 2013, or a person who is enrolled in the hybrid retirement program described in § 51.1-169, mutatis mutandis.

O.1. a. In order to address the potential for stranded liability in the Virginia Retirement System, notwithstanding any other contrary provisions of the Appropriation Act or of § 51.1-145, institutions of higher education that have established their own optional retirement plan under § 51.1-126(B) shall pay, effective July 1, 2019, contributions to the employer's retirement allowance account in an amount equal to that portion of the state employer contribution rate designated to pay down the total unfunded accrued liability, for any positions existing as of December 31, 2011 that are subsequently converted from non-Optional Retirement Plan for Higher Education (ORPHE) eligible positions to ORPHE-eligible positions on or after January 1, 2012 and that are filled by an employee who elects to participate in the ORPHE. In meeting this obligation, each institution shall provide to the Virginia Retirement System by April 1 of each year a list of all positions converted from non-ORPHE eligible positions to ORPHE-eligible positions since January 1, 2012, and whether current employees in such positions have

elected ORPHE participation.

b. Such contributions shall not be required for any new position established by the institution after January 1, 2012, that may be eligible for participation in the Optional Retirement Plan for Higher Education.

2. Furthermore, the Department of Accounts, the Virginia Retirement System, and the universities of higher education shall work to develop a methodology to identify and report separately personnel services expenditures for university personnel in positions that use to be classified positions but have been transitioned to university staff positions.

P. 1. Notwithstanding the provisions of § 17.1-327, Code of Virginia, any justice, judge, member of the State Corporation Commission, or member of the Virginia Workers' Compensation Commission who is retired under the Judicial Retirement System and who is temporarily recalled to service shall be reimbursed for actual expenses incurred during such service and shall be paid a per diem of \$250 for each day the person actually sits, exclusive of travel time.

2. Out of the general fund appropriation for this Item, \$500,000 in the first year and \$500,000 in the second year is provided to support the costs resulting from the changes in the per diem amounts provided for in paragraph P.1. The Director, Department of Planning and Budget, shall disburse funding from this Item to all affected judicial and independent agencies upon request.

Q.1. Notwithstanding § 9.1-400, Code of Virginia, or any contrary provision of law, "eligible dependent" for purposes of continued health insurance pursuant to § 9.1-401, Code of Virginia, shall also include the natural or adopted child or children of a "deceased person", as defined in § 9.1-400, Code of Virginia, or "disabled person", as defined in § 9.1-400, Code of Virginia, born as the result of a pregnancy or adoption that occurred after the time of the employee's death or disability and prior to July 1, 2017. Eligibility will continue until the end of the year in which the eligible dependent reaches age 26 or when the eligible dependent ceases to be eligible based on the Virginia Administrative Code or administrative guidance as determined by the Department of Human Resource Management.

2. Notwithstanding § 9.1-400.1 D, Code of Virginia, the annual contribution for each participating employer shall be based on a premium of \$717.31 per eligible full-time equivalent employee.

3. The Director, Department of Planning and Budget, shall transfer from this Item general fund

amounts estimated at \$202,639 the first year and \$202,639 the second year to state agencies and institutions of higher education to support the general fund portion of costs of Line of Duty Act premiums based on the latest enrollment update from the Virginia Retirement System and the premium authorized in this paragraph.

R. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at \$457,852 the first year and \$173,038 the second year from state agencies and institutions of higher education to recognize the general fund portion of savings associated with the latest workers' compensation premiums provided by the Department of Human Resource Management.

S. The following agency heads, at their discretion, may utilize agency funds to implement the provisions of new or existing performance-based pay plans:

1. The heads of agencies in the Legislative and Judicial Departments;
2. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;
3. The Attorney General;
4. The Director of the Virginia Retirement System;
5. The Executive Director of the Virginia Lottery;
6. The Director of the University of Virginia Medical Center;
7. The Chief Executive Officer of the Virginia College Savings Plan;
8. The Executive Director of the Virginia Port Authority; and
9. The Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority.

T. Out of the amounts included in this item, amounts estimated at \$1,398,067 the first year and \$4,627,062 the second year from the general fund is available for transfer to state agencies and institutions of higher education to effectuate the provisions of House Bill 395 and Senate Bill 7 which increases the minimum wage beginning January 1, 2021.

U.1. The Governor is hereby authorized to allocate a sum of up to \$118,087,286 the first year and up to \$146,766,525 the second year from this appropriation, to the extent necessary to offset any downward revisions of the general fund revenue estimate prepared for fiscal years 2021 and 2022, after the enactment by the General Assembly of the 2020 Appropriation Act. If within five days of the preliminary close of the fiscal year ending on June 30, 2020, the Comptroller's analysis does not determine that a revenue re-forecast is required pursuant to § 2.2-1503.3, Code of Virginia, then such appropriation shall be used only for employee compensation purposes as stated in paragraphs V. , W., X., Y., Z., AA. and BB. below.

2. Furthermore, the \$95,205,619 the first year and \$194,971,850 the second year from the general fund allocated to support the state share of a two percent salary adjustment the first year and an additional two percent salary adjustment the second year for SOQ funded positions authorized in Item 145 of this act shall be unallotted, if the provisions of paragraph U.1. are not met and the actions authorized in paragraphs V., W., X., Y., Z., AA., and BB. of this item are not effectuated.

V.1. Contingent on the provisions of paragraph U.1. above, \$89,883,598 from the general fund the first year is available to provide all classified employees of the Executive Branch and other full-time employees of the Commonwealth, except elected officials and employees receiving a salary adjustment pursuant to paragraph Z. below, who were employed on April 1, 2020, and remain employed until at least November 24, 2020, a one-time bonus payment equal to three percent of their base pay on December 1, 2020.

2. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the bonus payment authorized in this paragraph only if they have attained an equivalent rating of at least "Contributor" on their performance evaluation and have no active written notices under the Standards of Conduct within the preceding twelve-month period.

3. The governing authorities of the state institutions of higher education may provide the bonus for faculty and university staff based on performance and other employment-related factors, as long as the bonuses do not exceed what the average would have been based on the general methodology authorized in this paragraph.

W. Contingent on the provisions of paragraph U.1, out of amounts appropriated for Employee Compensation in this item, \$20,725,124 from the general fund the first year is provided for a one-time bonus, equal to two percent of their base salary on December 1, 2020 provided that the governing authority of such employees use such funds to support the provision of a bonus for the following listed employees:

- a. Locally-elected constitutional officers;
- b. General Registrars and members of local electoral boards;
- c. Full-time employees of locally-elected constitutional officers and,
- d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

X.1. Contingent on the provisions of paragraph U.1. above, \$109,353,218 from the general fund the second year is provided to increase the base salary of the following employees by three percent on June 10, 2021:

- a. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;
- b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;
- c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c;
- d. Full-time staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries' Offices, including the Deputy Secretaries, the Virginia

Liaison Office, and the Secretary of the Commonwealth's Office;

e. Heads of agencies in the Legislative Department;

f. Full-time employees in the Legislative Department, other than officials elected by popular vote;

g. Legislative Assistants as provided for in Item 1 of this act;

h. Judges and Justices in the Judicial Department;

i. Heads of agencies in the Judicial Department;

j. Full-time employees in the Judicial Department;

k. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Chief Executive Officer of the Virginia College Savings Plan, and the Directors of the Virginia Lottery, and the Virginia Retirement System; and

l. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the Virginia Lottery, Virginia Workers' Compensation Commission, and the Virginia Retirement System.

2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.

b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative Departments, employees of Independent agencies, and employees of the Executive Department not subject to the Virginia Personnel Act shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. However, notwithstanding anything herein to the contrary, the governing authorities of those state institutions of higher education with employees not subject to the Virginia Personnel Act may implement salary

increases for such employees that may vary based on performance and other employment-related factors. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.

3. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan by three percent on June 10, 2021. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances when employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.

4. The following agency heads, at their discretion, may utilize agency funds or the funds provided pursuant to this paragraph to implement the provisions of new or existing performance-based pay plans:

- a. The heads of agencies in the Legislative and Judicial Departments;
- b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;
- c. The Attorney General;
- d. The Director of the Virginia Retirement System;
- e. The Director of the Virginia Lottery;
- f. The Director of the University of Virginia Medical Center;
- g. The Chief Executive Officer of the Virginia College Savings Plan; and
- h. The Executive Director of the Virginia Port Authority.

5. The base rates of pay, and related employee benefits, for wage employees may be increased by up to three percent no earlier than June 10, 2021. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.

6. The governing authorities of those state institutions of higher education with employees may provide a salary adjustment based on performance and other employment-related factors, as long as the increases do not exceed the three percent increase on average.

Y.1. Contingent on the provisions of paragraph U.1. above, the appropriations in this item include funds to increase the base salary of the following employees by three percent on July 1, 2021, provided that the governing authority of such employees use such funds to support salary increases for the following listed employees.

a. Locally-elected constitutional officers;

b. General Registrars and members of local electoral boards;

c. Full-time employees of locally-elected constitutional officers and,

d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and Comprehensive Community Corrections Act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

2. Out of the appropriation for Supplements to Employee Compensation is included \$28,897,190 the second year from the general fund to support the costs associated with the salary increase provided in this paragraph.

Z. Contingent on the provisions of paragraph U.1. above, \$5,187,764 the first year and \$6,225,317 the second year from the general fund, is available for salary adjustments for sworn officers of the Department of State Police as follows:

a. Sworn employees of the Department of State Police, who have three or more years of continuous state service shall receive \$110 for each full year of service up to thirty years, effective August 10, 2020.

b. Prior to effectuating the salary adjustment authorized in this paragraph, the base salary of all sworn officers of the State Police shall be increased by two percent, effective August 10, 2020.

c. The Department of Human Resource Management shall adjust the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan as needed to effectuate the pay action in this paragraph.

AA. Contingent on the provisions of paragraph U.1. above, included in the appropriation for this item is \$2,290,800 the first year from the general fund to provide a three percent bonus on December 1, 2020 year for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions.

BB. Contingent on the provisions of paragraph U.1. above, included in the appropriation for this item is \$2,290,800 the second year from the general fund to provide a three percent increase in base pay for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions, effective June 10, 2021."

Explanation:

(This amendment reduces by half the funding provided for the employer share of health insurance premium increases, due to sufficient Health Insurance Fund (HIF) balances. Chapter 1289, 2020 Acts of Assembly reflected a second year increase of 6.7 percent, based on actuarially projected growth in health care costs, enrollment updates, and actual 2019 health care claims expenditures. The HIF balance as of July 2020 was approximately \$535.2 million.)

Item 479.10 #1s

Central Appropriations

Central Appropriations

Language

Language:

Page 204, line 9, strike "Not set out." and insert:

"A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the

Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. Such appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, i) relief to small businesses, ii) assistance for housing and homelessness, iii) assistance for long term care facilities, and iv) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.

E.1. The Governor is hereby authorized to allocate and appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant the Coronavirus Relief Fund as authorized in the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), up to the amounts as follows:

Funding Allocations	FY 2020	FY 2021
<i>Distributed to Localities</i>	\$644,573,383	\$644,573,383
<i>VDEM -Testing</i>	\$42,338,400	\$0
<i>VDEM - PPE</i>	\$97,000,000	\$0
<i>VDEM - Other</i>	\$33,722,001	\$0
<i>VDH - Replace Deficit Authorization</i>	\$3,291,300	\$0
<i>VDH - Contact Tracing and UVA Equipment</i>	\$59,157,614	\$0
<i>DGS - Consolidated Labs</i>	\$6,052,673	\$0
<i>DHCD - Emergency Housing for Homeless</i>	\$5,528,998	\$3,300,000
<i>FY 2020 Agency-based Requests</i>	\$80,480,698	\$0
<i>DHCD - Mortgage and Rental Assistance</i>	\$10,000,000	\$40,000,000
<i>DSBSD - Small Business Assistance Grants</i>	\$0	\$70,000,000
<i>DMAS - Long-term Care Facilities</i>	\$0	\$55,640,872
<i>DMAS - PPE for Personal Care Attendants</i>	\$0	\$9,256,178
<i>VDACS - Food Insecurity</i>	\$0	\$1,211,953
<i>DSS - Food Security - Expand Emergency Food Supply Package</i>	\$0	\$650,000
<i>VDEM - Food Security - Purchase One million MREs</i>	\$0	\$2,000,000
<i>VDEM - Priority PPE (Healthcare and Congregate Care Facilities, Local Health Districts, Childcare Facilities)</i>	\$0	\$42,112,285
<i>VDH - Carillion Serology Study</i>	\$0	\$566,309
<i>VDH - Testing and Contracting</i>	\$0	\$71,829,059
<i>VDH - Environmental Health Specialists for Executive Order Enforcement</i>	\$0	\$4,457,085
<i>DBHDS - State Hospital Census Support</i>	\$0	\$2,800,000
<i>VDEM - COVID-19 Pandemic Response</i>	\$0	\$57,324,110
<i>VDH - Point of Care Antigen Testing</i>	\$0	\$16,010,500
TOTAL	\$982,145,067	\$1,021,731,734

F. It is the intent of the General Assembly that temporary financial assistance be provided to public institutions of higher education for requests made for fiscal year 2021. The Governor is authorized to allocate up to \$65,000,000 of federal Coronavirus Relief Funds for this purpose, including to the University of Virginia and Virginia Commonwealth University for requested capital projects related to dealing with the COVID-19 pandemic.

G. It is the intent of the General Assembly that federal relief funds be used to support child care stabilization grants with local community partnerships and providers. The Governor is authorized to allocate up to \$20,000,000 of federal Coronavirus Relief Funds for this purpose. Grant criteria shall be developed by the Department of Social Services in consultation with the Department of Education. Grants awarded shall support communities or regional collaboratives to provide additional child care classrooms, home-based child care providers, or responses to short term needs to respond to virtual learning during the COVID-19 emergency.

H. It is the intent of the General Assembly that temporary financial assistance be provided to consumer-directed personal care attendants in the Medicaid program. The Governor is authorized to allocate up to \$34,000,000 of federal Coronavirus Relief Funds, if determined to be permissible and feasible, to provide an increase in the hourly rate of up to 20 percent for up to three months or to make a one-time payment based on a similar methodology that provides financial assistance to consumer-directed personal care attendants to ensure such workers can continue to serve elderly and disabled Medicaid recipients in their homes during the COVID-19 pandemic.

I. It is the intent of the General Assembly that temporary financial assistance be provided to Developmental Disability waiver providers in the Medicaid program to offset COVID-19 related costs and to stabilize the workforce to ensure continued access to such critical services. The Governor is authorized to allocate up to \$40,000,000 of federal Coronavirus Relief Funds, if determined to be permissible and feasible, for this purpose.

J. It is the intent of the General Assembly that temporary financial assistance be provided to local school divisions in responding to the COVID-19 pandemic. The Governor is authorized to allocate up to \$200,000,000 of federal Coronavirus Relief Funds for this purpose.

K. It is the intent of the General Assembly that financial assistance be provided to state agencies in responding to the COVID-19 pandemic. The Governor is authorized to allocate up to \$25,500,000 of federal Coronavirus Relief Funds for this purpose.

L. It is the intent of the General Assembly that temporary financial assistance grants be provided to Virginia-based recreation and tourism businesses in order to stabilize and support the ongoing availability of outdoor recreational opportunities during the COVID-19 pandemic. The Governor is authorized to allocate up to \$15,000,000 of federal Coronavirus Relief Funds, if determined to be permissible and feasible for this purpose.

M. It is the intent of the General Assembly that the Governor may deposit the remaining balance of federal Coronavirus Relief Funds into the Unemployment Trust Fund, if permissible

by law, to reduce the impact of future unemployment taxes on small businesses.

N.1. There is hereby created a Joint Subcommittee of the House Appropriations and Senate Finance and Appropriations Committees to review, provide advice to the Governor and provide oversight of the use of the Coronavirus Relief Fund (CRF) created pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) or other federal relief funds whereby discretion is provided to the state on how such funds shall be allocated. The joint subcommittee shall consist of eight members, including the Chair of the House Appropriations Committee and three members of the House Appropriations Committee selected by the Chair, the Chair of the Senate Finance and Appropriations Committee and three members of the Senate Finance and Appropriations Committee selected by the Chair. The secretaries of Finance, Commerce and Trade, Health and Human Resources, and Public Safety and Homeland Security shall also be available to provide technical assistance to the joint subcommittee. The joint subcommittee shall be staffed by the staff of House Appropriations and Senate Finance and Appropriations committees.

2. The Joint Subcommittee shall work with the Governor to consider and examine all currently allocated and potential uses of the CRF in providing assistance to state agencies, institutions of higher education, local governments, private non-profit or for-profit businesses, and citizens of the Commonwealth that have been negatively impacted economically due to the effects of the Coronavirus Pandemic. The joint subcommittee shall make recommendations, consistent with the requirements of the CARES Act and any federal regulations or guidance, to the Governor for his consideration. The Governor shall within five days of the enactment of this act, provide information to the joint subcommittee on previous allocations of CRF funding, expenditures to date, and requests under consideration.

3. No less than five days prior to the allocation or appropriation of discretionary federal relief funds, including the CRF, the Governor shall submit his proposal or proposed allocation to the Joint Subcommittee, which shall review and recommend approval or denial of such uses to the Governor within five days. The Governor shall notify the chairs of the Senate Finance and Appropriations Committee and the House Appropriations Committee in writing within five days concerning his decision to appropriate and allocate federal relief funds having previously been considered by the Joint Subcommittee."

Explanation:

(This amendment sets out the allocations from the Coronavirus Relief Fund, which is part of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136). Virginia's allocation was \$3.1 billion. The amendment also allocates funding, as feasible, to provide: (i) assistance of up to \$65.0 million to public institutions of higher education for requests made for fiscal year 2021, including two capital projects; (ii) support for child care stabilization grants with local community partnerships and providers; (iii) an increase in the hourly pay rate of up to 20 percent for up to three months or a one-time payment based on a similar methodology that provides financial assistance to consumer-directed personal care attendants to ensure such workers can continue to serve elderly and disabled Medicaid

recipients in their homes during the COVID-19 pandemic; (iv) to provide support to developmental disability providers; (v) support to local school divisions; (vi) assistance to state agencies; (vii) assistance to the recreation and tourism industries; and (viii) support to the Unemployment Trust Fund from remaining balances to reduce the impact of future unemployment taxes on small businesses. In addition, the amendment establishes a Joint Subcommittee of the House Appropriations and Senate Finance and Appropriations Committee to review, provide advice to the Governor and provide oversight of the use of the Coronavirus Relief Fund (CRF) created pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) or other federal relief funds whereby discretion is provided to the state on how such funds shall be allocated.)

Item 479.10 #2s

Central Appropriations

Central Appropriations

Language

Language:

Page 204, line 9, strike "Not set out." and insert:

“A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to

ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. *The Governor shall appropriate an amount up to \$95,300,000 the first year from the COVID-19 Relief Fund in Item 145 for COVID-19 Local Relief Payments if sufficient revenue has been deposited to the fund by June 1, 2021 to cover these payments. These funds shall be distributed as prescribed in Item 145 to support COVID-19 Relief Payments. Any additional* ~~Such~~ appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, ~~i) assistance for public education, ii) relief to small businesses, iii) assistance for housing and homelessness, iv) assistance for long term care facilities, and v) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic.~~ ~~i) assistance for public education, ii) relief to small businesses, iii) assistance for housing and homelessness, iv) assistance for long term care facilities, and v) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic.~~ The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium."

Explanation:

(This amendment provides an appropriation of up to \$95.3 million the first year from the COVID-19 Relief Fund in Item 145 for COVID-19 Local Relief Payments to support the costs of the Standards of Quality. The appropriation for the COVID-19 Local Relief Payments is contingent upon actual revenues collected and deposited to the COVID-19 Relief Fund by June 1, 2021 to cover these payments.)

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"E. The Director, Department of Planning and Budget, shall unallot \$30,000,000 from the general fund in this Item and revert the appropriation to the general fund, on or before June 30, 2021, which reflects carryforward balances from fiscal year 2020."

Explanation:

(This amendment includes language to revert \$30 million of the \$50 million general fund provided in fiscal year 2020 to respond to the COVID-19 pandemic. The funding was reappropriated in fiscal year 2021. To date, \$1.9 million has been used for state match. This amendment leaves \$18.1 million for other potential unknown costs. Federal relief funds have provided the Commonwealth with substantial resources to respond to the pandemic and this reversion diverts this funding to other critical items needing state funding. Such funding is reflected in other amendments such as the extension of the \$20 per day nursing home payment through Medicaid. Item 479.10 will be set out upon enrolling of the bill.)

Item 479.20 #1s

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"I. It is the intent of the General Assembly that based on actual collections of general fund revenues through June 15, 2021, that the Governor shall estimate the total expected fiscal year 2021 general fund revenues and if such estimate of general fund revenues are above the official general fund revenue estimate for fiscal year 2021 used in this act, such additional revenue shall be allocated to fund the following items in priority order in fiscal year 2022:

Agency		FY 2022
Department of Behavioral Health and Developmental Services	Increase permanent supportive housing capacity	\$5,000,000
Department of Behavioral Health and Developmental Services	Provide funds for partial implementation of STEP-VA	\$18,607,414
Department of Medical Assistance Services	Increase mental health provider rates	\$2,458,479

Department of Medical Assistance Services	Enhance behavioral health services	\$10,273,553
Direct Aid to Public Education	Increase support for at-risk students	\$35,173,962
Direct Aid to Public Education	Maximize pre-kindergarten access for at-risk three- and four-year-old children	\$48,436,297
Department of Medical Assistance Services	Increase DD Waiver Provider Rates Based on Updated Data	\$11,018,539
Department of Medical Assistance Services	Increase Developmental Disability (DD) waiver rates	\$1,874,427
Department of Medical Assistance Services	Increase rates for skilled and private duty nursing services (80% of Benchmark)	\$3,666,899
Department of Medical Assistance Services	Additional 8 Hours of Overtime for Personal Care Attendants	\$3,190,283
Department of Medical Assistance Services	Increase Rates for Psychiatric Residential Treatment Facilities	\$7,599,696
Department of Medical Assistance Services	Restore 550 Developmental Disability Waiver Slots	\$11,595,774
Department of Medical Assistance Services	Fund home visiting services	\$11,750,159
Department of Social Services	Fund local departments of social services prevention services	\$17,437,461
Department of Corrections	Fund Electronic Health Records	\$8,935,649
Department of Medical Assistance Services	Increase Medicaid Nursing Facility Reimbursement	\$6,984,788
Central Appropriations	Two Percent Bonus for State Employees, Teachers and State-supported locals	\$169,473,233
TOTAL		\$373,467,613

2. Contingent on the provisions of paragraph 1. above, and according to the specified prioritization, \$66,121,924 from the general fund shall be made available to provide all classified employees of the Executive Branch and other full-time employees of the

Commonwealth, except elected officials, who were employed on December 1, 2020 and remained employed at least until July 24, 2021, a one-time bonus payment equal to two percent of their base pay on August 1, 2021.

3. Furthermore, contingent on the provisions of paragraph 1 above, and according to the specified prioritization, \$20,725,127 from the general fund shall be made available to provide to a one-time bonus payment equal to two percent of the base salaries of the following listed employees on August 1, 2021, provided that the governing authority of such employees use such funds to support the provision of a bonus:

- a. Locally-elected constitutional officers;
- b. General Registrars and members of local electoral boards;
- c. Full-time employees of locally-elected constitutional officers and,
- d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

4. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the bonus payment authorized in this paragraph only if they have attained an equivalent rating of at least "Contributor" on their performance evaluation and have no active written notices under the Standards of Conduct within the preceding twelve-month period.

5. The governing authorities of the state institutions of higher education may provide the bonus for faculty and university staff based on performance and other employment-related factors, as long as the bonuses do not exceed what the average would have been based on the general methodology authorized in this paragraph.

6. Contingent on the provisions of paragraph 1 above, and according to the specified prioritization, \$82,626,182 from the general fund shall be made available from the general fund for the state share of a one-time bonus payment equal to two percent of base pay on August 1, 2021, for funded SOQ instructional and support positions and Academic Year Governor's School instructional and support positions.

7. The Director, Department of Planning and Budget, shall have authority to adjust the

appropriation reversion amounts in the second year contained in Item 482.20 to reflect items funded as a result of paragraph 1.

8. Should the additional revenue pursuant to paragraph 1 be insufficient to fund all the items listed, then the Governor shall fund those items listed in priority order for which the additional revenue is sufficient to fully fund."

Explanation:

(This amendment provides that any additional revenue for fiscal year 2021 as a result of the higher than forecast general fund revenues in the fiscal year will be used for the listed high priority funding items in fiscal year 2022.)

	Item 482.20 #1s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$3,289,890 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,250,587".
 Page 205, line 9, strike "\$1,335,540,477" and insert "1,332,250,587".
 Page 215, line 15, strike "\$3,289,890" and insert "\$0".
 Page 216, line 8, strike "\$127,501,107" and insert "\$124,211,217".

Explanation:

(This amendment restores \$3.3 million general fund the second year to eliminate, effective July 1, 2021, the current Medicaid requirement that legal permanent residents have 40 quarters (10 years) of work experience in order to be eligible for Medicaid benefits. Federal law requires five years of legal residence to qualify for Medicaid but Virginia requires 10 years of work experience, one of six states with such a requirement. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

	Item 482.20 #2s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$250,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".

Page 208, strike line 9 through line 10.
 Page 208, line 32, strike "\$178,344,517" and insert "\$178,094,517".

Explanation:

(This amendment restores funding to the Emil and Grace Shihadeh Innovation Center for one-time support for furniture and equipment. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #3s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$100,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,915,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,915,992".
 Page 218, strike line 45 through line 46.
 Page 219, line 3, strike "\$1,082,144" and insert "\$982,144".

Explanation:

(This amendment restores funding for the County of Gloucester in support of the historic preservation of the Woodville School.)

Item 482.20 #4s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$250,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".
 Page 218, strike line 48 through line 49.
 Page 219, line 3, strike "\$1,082,144" and insert "\$832,144".

Explanation:

(This amendment restores funding to the County of Fairfax to support NOVA Parks in commemoration of the centennial of Women's Suffrage.)

Item 482.20 #5s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$500,000	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,040,477".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,040,477".
 Page 218, line 22, strike the second "\$500,000" and insert "\$0".
 Page 218, line 28, strike "\$27,935,341" and insert "\$27,435,341".

Explanation:

(This amendment restores second year funding of \$500,000 GF for preventive maintenance needs across the Virginia State Park System.)

Item 482.20 #6s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$161,719	\$323,437	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,854,273".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,217,040".
 Page 205, line 27, strike the first occurrence of "\$323,437" and insert "\$161,718".

 Page 205, line 27, strike the second occurrence of "\$323,437" and insert "\$0".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,854,273" and strike "\$1,335,540,477" and insert "\$1,335,217,040".

Explanation:

(This amendment restores funding related to a new judgeship in the 19th judicial district that was unallotted in Chapter 1289, 2020 Acts of Assembly. The first year funding is prorated six months, with an effective date of January 1, 2021.)

Item 482.20 #7s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$5,732,280	\$7,596,300	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$748,283,712".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,327,944,177".

Page 205, strike lines 25 through 26.

Page 205, line 9, strike "\$754,015,992" and insert "\$748,283,712" and strike "\$1,335,540,477" and insert "\$132,794,417".

Explanation:

(This amendment restores funding of \$5.7 million GF the first year and \$7.6 million GF the second year related to additional district court clerk positions that was unallotted in Chapter 1289, 2020 Acts of Assembly.)

	Item 482.20 #8s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$3,798,726	\$5,698,089 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$750,217,266".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,842,388".
 Page 205, strike lines 30 through 34.

Page 205, line 9, strike "\$754,015,992" and insert "\$750,217,266" and strike "\$1,335,540,477" and insert "\$1,329,842,388".

Explanation:

(This amendment restores funding of \$3.8 million GF the first year and \$5.7 million GF the second year related to additional public defender positions for the Indigent Defense Commission that was unallotted in Chapter 1289, 2020 Acts of Assembly.)

	Item 482.20 #9s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$17,486,839 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,318,053,638".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,318,053,638".
 Page 215, line 7, strike "\$25,304,935" and insert "\$7,818,096".
 Page 216, line 8, strike "\$127,501,107" and insert "\$110,014,268".

Explanation:

(This amendment restores \$17.5 million from the general fund the second year to add a

Medicaid adult dental benefit to take effect on July 1, 2021. This benefit was funded in the 2020 Appropriation Act to take effect January 1, 2021, but subsequently was unallotted in the April 2020 Reconvened Session and has been proposed to be eliminated in the Governor's proposed budget for the Special Session.)

Item 482.20 #10s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,209,470	\$6,418,940	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$750,806,522".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,121,537".
- Page 205, line 9, strike "\$754,015,992" and insert "\$750,806,522".
- Page 205, line 9, strike "\$1,335,540,477" and insert "1,329,121,537".
- Page 215, line 13, strike the first "\$9,609,223" and insert "\$6,399,753".
- Page 215, line 13, strike the second "\$9,609,223" and insert "\$3,190,283".
- Page 216, line 8, strike "\$79,572,610" and insert "\$76,363,140".
- Page 216, line 8, strike "\$127,501,107" and insert "\$121,082,167".

Explanation:

(This amendment restores \$3.2 million the first year and \$6.4 million the second year from the general fund to pay overtime compensation to personal care attendants who are providing care under the consumer-directed service option in Medicaid waivers. The amendment allows Medicaid to pay time and a half for up to 8 hours for a single attendant who works more than 40 hours per week, beginning January 1, 2021. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #11s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$557,468	\$2,116,376	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$753,458,524".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,424,101".
- Page 205, line 9, strike "\$754,015,992" and insert "\$753,458,524".
- Page 205, line 9, strike "\$1,335,540,477" and insert "1,333,424,101".
- Page 215, line 22, strike "\$1,114,936" and insert "\$557,468".

Page 215, line 22, strike "\$2,116,376" and insert "\$0".
 Page 216, line 8, strike "\$79,572,610" and insert "\$79,015,142".
 Page 216, line 8, strike "\$127,501,107" and insert "\$125,384,731".

Explanation:

(This amendment restores \$557,468 the first year and \$2.1 million the second year from the general fund to extend postpartum coverage for women in the FAMIS program from two months to 12 months, effective January 1, 2021. Funding for this coverage extension was included in the 2020 Appropriation Act but subsequently unallotted in April due to the COVID-19 pandemic, and proposed to be eliminated in the introduced budget for the Special Session. Women with income from 143 to 205 percent of the federal poverty level are currently eligible for coverage in the FAMIS program during pregnancy through 60 days postpartum. FAMIS is funded through the federal Children’s Health Insurance Program with a typical 35 percent state match.)

	FY20-21	FY21-22
		Item 482.20 #12s
Central Appropriations		
Central Appropriations	\$0	\$352,534 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,187,943".
 Page 205, line 9, strike "\$1,335,540,477" and insert "1,335,187,943".

Page 215, line 48, strike "\$352,534" and insert "\$0".

Page 216, line 8, strike "\$127,501,107" and insert "\$127,148,573".

Explanation:

(This amendment restores \$352,534 the second year from the general fund to require Medicaid managed care organizations to reimburse at no less than 90 percent of the state Medicaid fee schedule for durable medical equipment. These funds were included in the budget passed in March 2020, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

	FY20-21	FY21-22
		Item 482.20 #13s
Central Appropriations		
Central Appropriations	\$0	\$2,578,387 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,962,090".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,333,062,090".
 Page 215, line 46, strike the second "\$6,245,286" and insert "\$3,666,899".
 Page 216, line 8, strike "\$127,501,107" and insert "\$124,922,720".

Explanation:

(This amendment restores funding to increase Medicaid reimbursement for skilled and private duty nursing to 75 percent of the benchmark rate effective July 1, 2021. This increase applies to skilled nursing services provided through the Developmental Disability Waiver programs and private duty nursing services including congregate nursing services provided in the Commonwealth Coordinated Care Plus Waiver, the Developmental Disability Waiver programs and the Early and Periodic Screening, Diagnostic and Treatment program. This amendment increases the skilled nursing rates by 8.8 percent and private duty nursing rates by an average of 4.7 percent. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

	Item 482.20 #14s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$262,491 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,277,986".
 Page 205, line, strike "\$1,335,540,477" and insert "1,335,277,986".
 Page 215, line 36, strike "\$262,491" and insert "\$0".
 Page 216, line 8, strike "\$127,501,107" and insert "\$127,238,616".

Explanation:

(This amendment restores \$262,491 the second year from the general fund to increase Medicaid reimbursement for anesthesiologists to 70 percent of the equivalent Medicare rate in the fee for service and managed care programs. The intent of the 2019 General Assembly was to increase Medicaid reimbursement to 70 percent of the equivalent Medicare fee to physicians who were reimbursed less than 70 percent of Medicare rates. The anesthesiologists qualified for this increase but were inadvertently left out of the budget language. This ensures that the error is corrected. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #15s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$250,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".

Page 214, strike lines 14 and 15.

Page 214, line 18, strike "\$300,000" and insert "\$50,000".

Explanation:

(This amendment restores \$250,000 the first year from the general fund to restore funding to complete the rate study for private day special education programs funded through the Children's Services Act. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #16s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$300,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,715,992".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,715,992".

Page 215, strike line 50.

Page 216, line 8, strike "\$79,572,610" and insert "\$79,272,610".

Explanation:

(This amendment restores \$300,000 the first year from the general fund for the Department of Medical Assistance Services to contract with a consultant with expertise in health care rate setting to thoroughly analyze current Medicaid rates for services likely impacted by an increase in the state minimum wage and to make recommendations for rate adjustments as appropriate. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #17s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$1,350,000	\$2,600,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,665,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,940,477".
Page 205, line 9, strike "\$754,015,992" and insert "\$752,665,992".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,332,940,477".
Page 215, strike lines 8 and 9.
Page 216, line 8, strike "\$79,572,610" and insert "\$78,222,610".
Page 216, line 8, strike "\$127,501,107" and insert "\$124,901,107".

Explanation:

(This amendment restores \$1.4 million the first year and \$2.6 million the second year to fully fund an error in the Official Medicaid Forecast that removed funding for new graduate medical residency slots funded through Medicaid. Included in this funding is \$100,000 from the general fund and \$100,000 from nongeneral funds for the Graduate Medical Education residency program each year of the biennium, to provide funding for 27 slots, rather than 25, for the residents who started in July 2021. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

		Item 482.20 #18s
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$12,892,966 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,322,647,511".
Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,322,647,511".
Page 215, line 30, strike "\$22,037,077" and insert "\$11,018,538".
Page 215, line 32, strike "\$3,748,853" and insert "\$1,874,426".
Page 216, line 8, strike "\$127,501,107" and insert "\$114,608,141".

Explanation:

(This amendment restores \$12.9 million the second year from the general fund to fund half the increase in provider rates for services provided through the current Medicaid Developmental Disability Waiver programs using updated data, including wage assumptions, to 100 percent of the rate model benchmark. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session. A separate amendment funds the remaining half of the provider rate increase contingent on additional revenues above the forecast.)

Item 482.20 #19s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$7,500,000	\$10,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$746,515,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,325,540,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$746,515,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,325,540,477".
 Page 216, line 15, strike "\$7,500,000" and insert "\$0".
 Page 216, line 15, strike "\$12,500,000" and insert "\$2,500,000".
 Page 216, line 27, strike "\$20,713,104" and insert "\$13,213,104".
 Page 216, line 27, strike "\$26,155,627" and insert "\$23,655,627".

Explanation:

(This amendment restores \$7.5 million the first year and \$10.0 million the second year to fund statewide discharge assistance plans to address census issues at state facilities by increasing the availability of community-based services for individuals determined clinically ready for discharge. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #20s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$2,500,000	\$5,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$751,515,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,330,540,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$751,515,992".
 Page 205, line 9, strike "\$1,339,540,477" and insert "\$1,330,540,477".
 Page 216, line 18, strike the first "\$7,500,000" and insert "\$2,500,000".
 Page 216, line 18, strike the second "\$7,500,000" and insert "\$5,000,000".
 Page 216, line 27, strike "\$20,713,104" and insert "\$18,213,104".
 Page 216, line 27, strike "\$26,155,627" and insert "\$21,155,627".

Explanation:

(This amendment restores \$2.5 million the first year and \$5,000,000 the second year from the general fund to fund various pilot programs in the Commonwealth to help address census

pressures on state psychiatric hospitals. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #21s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,000,000	\$12,000,000	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$751,015,992".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,323,540,477".
- Page 205, line 9, strike "\$754,015,992" and insert "\$751,015,992".
- Page 205, line 9, strike "\$1,355,540,477" and insert "\$1,323,540,477".
- Page 216, line 32, strike "\$8,500,000" and insert "\$5,500,000".
- Page 216, line 32, strike "\$17,000,000" and insert "\$5,000,000".
- Page 216, line 36, strike "\$29,604,173" and insert "\$26,604,173".
- Page 216, line 36, strike "\$49,252,214" and insert "\$37,252,214".

Explanation:

(This amendment restores \$3.0 million the first year and \$12.0 million the second year to increase permanent supportive housing capacity to serve more individuals with serious mental illness and provide stable housing. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #22s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$2,112,194	\$4,224,388	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$751,903,798".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,316,089".
- Page 205, line 9, strike "\$754,015,992" and insert "\$751,903,798".
- Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,331,316,089".
- Page 216, line 20, strike the first "\$4,224,388" and insert "\$2,112,194".
- Page 216, line 20, strike the second "\$4,224,388" and insert "\$0".
- Page 216, line 27, strike "\$20,713,104" and insert "\$18,600,910".
- Page 216, line 27, strike "\$26,155,627" and insert "\$21,931,239".

Explanation:

(This amendment restores \$2.1 million the first year and \$4.2 million the second year to fully fund statewide implementation, effective January 1, 2021, of the Virginia Mental Health Access Program (VMAP), an integrated care program that increases access for children and adolescents to behavioral health services through enhanced pediatric training, psychiatric consultations, telehealth, and care navigation. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #23s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$11,544,000	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,323,996,477".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,323,996,477".
 Page 216, line 34, strike "\$30,151,414" and insert "\$18,607,414".
 Page 216, line 36, strike "\$49,252,214" and insert "\$37,708,214".

Explanation:

(This amendment restores \$11.5 million the second year from the general fund to restore crisis services as part of STEP-VA. The funding includes \$6.8 million for mobile crisis services and \$4.7 million for crisis dispatch that will assist in implementation of Senate Bill 5038, that creates a mental health awareness response system. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #24s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$579,951	\$1,159,901	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,436,041".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,380,576".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,436,041".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,334,380,576".
 Page 217, line 47, strike the first "\$1,159,901" and insert "\$579,950".

Page 217, line 47, strike the second "\$1,159,901" and insert "\$0".
 Page 217, line 51, strike "\$31,646,263" and insert "\$31,066,312".
 Page 217, line 51, strike "\$41,188,197" and insert "\$25,032,570".

Explanation:

(This amendment restores \$579,951 the first year and \$1.2 million the second year to fund a 15 percent increase in TANF cash assistance payments to two-parent families. On July 1, 2020, the increase was provided to most TANF families, however cash assistance for two-parent families are funded from the general fund, and the associated funding included in the budget passed in March, was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session. This amendment restores the funding to allow two-parents families to receive the 15 percent increase beginning January 1, 2021.)

Item 482.20 #25s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$400,000	\$0	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,615,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,615,992".
 Page 208, line 36, strike the first "\$400,000" and insert "\$0".

Explanation:

(This amendment restores \$400,000 the first year only in additional funding for the Virtual Library of Virginia. New funding included in the budget passed in March, was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session. This amendment restores the funding.)

Item 482.20 #26s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$1,150,000	\$2,300,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,865,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,240,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$752,865,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,333,240,477".
 Page 219, line 47, strike the first "\$2,300,000" and insert "\$1,150,000."
 Page 219, line 47, strike the second "\$2,300,000" and insert "\$0."

Page 219, line 52, strike the first "\$13,878,574" and insert "\$12,728,574)."
 Page 219, line 52, strike the second "\$13,878,574" and insert "\$11,578,574)".

Explanation:

(This amendment restores \$1.2 million the first year and \$2.3 million the second year from the general fund to increase the amount available to the Department of Criminal Justice Services to distribute to local community corrections programs for pretrial and probation services. The funding provides for programs to be established in 33 localities lacking such programs. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #27s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$500,000	\$1,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,515,992)".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,540,477)".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,515,992)".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,334,540,477)".
 Page 219, line 43, strike the first "\$1,000,000" and insert "\$500,000)."
 Page 219, line 43, strike the second "\$1,000,000" and insert "\$0."
 Page 219, line 52, strike the first "\$13,878,574" and insert "\$13,378,574)."
 Page 219, line 52, strike the second "\$13,878,574" and insert "\$12,878,574)."

Explanation:

(This amendment restores \$0.5 million the first year and \$1.0 million the second year from the general fund to increase the amount available to the Department of Criminal Justice Services for pre-release and post-incarceration services. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #28s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$200,000	\$200,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,815,992)".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,340,477)".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,815,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,340,477".
 Page 219 strike line 45 through line 46.
 Page 219, line 52, strike each instance of "\$13,878,574" and insert: "\$13,678,574)."

Explanation:

(This amendment restores \$0.2 million in each year from the general fund to increase the amount available to the Department of Criminal Justice Services to make grants to organizations for post-critical incident support for law enforcement officers. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #29s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,000,000	\$3,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$751,015,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,540,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$751,015,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,332,540,477".
 Page 219, strike line 35 through line 37.
 Page 219, line 38, strike "\$15,142,502" and insert "\$12,142,502)."
 Page 219, line 38, strike "\$26,956,626" and insert "\$23,956,626)."

Explanation:

(This amendment restores \$3.0 million in each year from the general fund for the Department of Corrections to implement an electronic health records system for all correctional facilities. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #30s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$376,364	\$376,364	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,639,628".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,164,113)."

Page 205, line 9, strike "\$754,015,992" and insert "\$753,639,628".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,164,113".
 Page 218, strike line 18.
 Page 218, line 28, strike "(\$3,398,510)" and insert "(\$3,022,146)".
 Page 218, line 28, strike "(\$27,935,341)" and insert "(\$27,558,977)".

Explanation:

(This amendment restores dedicated operating support to the public operations of Natural Bridge State Park.)

	Item 482.20 #31s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$10,000,000	\$24,000,000 GF

Language:

Page 205, line 1, strike "(\$754,015,992)" and insert "(\$744,015,992)".
 Page 205, line 1, strike "(\$1,335,540,477)" and insert "(\$1,311,540,477)".
 Page 205, line 9, strike "\$754,015,992" and insert "\$744,015,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,311,540,477".
 Page 209, line 29, strike "\$10,000,000" and insert "\$5,000,000".
 Page 209, line 29, strike "\$12,000,000" and insert "\$0".
 Page 210, line 13, strike "\$10,000,000" and insert "\$5,000,000".
 Page 210, line 13, strike "\$12,000,000" and insert "\$0".

Explanation:

(This amendment restores \$5.0 million each the first year and \$12.0 million each the second year for George Mason University and Old Dominion University to begin addressing funding disparities due to enrollment growth for in-state students, continued increases in two-year transfer students, and educational program development to support economic growth. Funding was included in the budget passed in March, was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session. This amendment restores half of the original amount of funding in the first year and the full amount in the second year.)

	Item 482.20 #32s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$342,678	\$209,509 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,673,314".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,330,968".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,673,314".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,330,968".
 Page 218, strike line 24 through line 25.

Page 218 line 28, strike "\$3,398,510" and insert "\$3,055,832".
 Page 218 line 28, strike "\$27,935,341" and insert "\$27,725,832".

Explanation:

(This amendment restores funding for the operation of the Green Pastures Recreation Area as a satellite facility of Douthat State Park.)

Item C-56 #1s

Public Safety and Homeland Security

Department of State Police

Language

Language:

Page 228, line 10, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.

"A. This appropriation is the second and third of a four year allocation to implement an upgrade program for the Statewide Agencies Radio System (STARS) project. It may consist of, but is not limited to, land; mobile telecommunications equipment and towers; software; radio frequency rights and licenses; communications control buildings and facilities; related infrastructure; program management; and other project costs necessary, incidental or convenient to undertake, acquire, develop, construct, upgrade, and equip the integrated statewide shared land-mobile radio communications system for the Commonwealth.

B.1. It is the intent of the General Assembly that the Statewide Agencies Radio System (STARS) that is managed by the Department of State Police for the purpose of interoperable communications among law enforcement agencies in the Commonwealth during critical public safety events, be procured competitively and with non-proprietary technology, in order to maximize efficiency and participation among law enforcement users.

2. Notwithstanding Item C-56 of Chapter 1289, 2020 Acts of Assembly, or Items C-34.10 and C-34.20 of Chapter 854, 2019 Acts of Assembly, the Department of State Police shall not procure any major technology or hardware upgrades or replacements of the existing system until after the report directed in paragraph B.3. of this item is presented to the General Assembly and further authorization is made in an Appropriation Act.

3. The Department of State Police, in collaboration with the Chief Information Officer of the Virginia Information Technology Agency, shall submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 18, 2020, which includes the following information: (i) An update on the status of all equipment owned by the Department and when it was purchased or replaced; (ii) A discussion of recent procurement efforts for replacement of the STARS system, which details the components based on standard "Project-25" (P-25) technology and any components which were bid based on non-standard (P-25) technology; (iii) An updated estimate on the total cost of upgrading the system based on P-25 technology, as well as an overview of annual operating expenses and FTEs and wage employees assigned to manage the system."

Explanation:

(This amendment directs the Department of State Police to report on the procurement of a replacement for the Statewide Agencies Radio System. The amendment also prohibits further action on the existing procurement with funding that was authorized in Chapters 854 of the 2019 Acts of Assembly, and Chapter 1289 of the 2020 Acts of Assembly, until submission of the report required and further authorization is granted in a future Appropriation Act.)

Item C-69 #1s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 230, line 46, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

Page 592, strike paragraph A.1. and insert:

"A. 1. Included in this Item is \$170,700,000 in bond appropriation which may be transferred between and among the capital project pools listed, *or any project within a listed pool notwithstanding § 2.2-1519 E*, in paragraph O. of § 2-0 of this act in order to address any shortfall in appropriation in one or more of such project pools *or project*, pursuant to the provisions of § 2-0, paragraph O., of this act and may be financed in whole or in part through bonds of the Virginia College Building Authority pursuant to § 23.1-1200 et seq., Code of Virginia, or the Virginia Public Building Authority pursuant to § 2.2-2260 et seq., Code of Virginia. Bonds of the Virginia College Building Authority issued to finance these projects may

be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue. The aggregate principal amount shall not exceed \$170,700,000 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, in accordance with § 2.2-2263, Code of Virginia."

Explanation:

(This amendment clarifies that bond appropriation may be transferred between and among the listed capital project pools.)

Item C-74 #1s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 231, line 16, strike "Not set out." and insert:
Amendment drawn to Chapter 1289
Page 650, strike Item C-74 and insert:

A.1. Pursuant to projects authorized and funded in paragraphs B and E.1 of Item C-39.40 of Chapter 1 of the 2014 Special Session I, Virginia Acts of Assembly, the General Assembly appropriated funds to the Department of General Services (DGS) for Capitol Complex Infrastructure and Security construction projects. Project work includes improvements and safety and security enhancements to be constructed or installed within the right-of-way of North 9th Street (between the area north of where Bank Street intersects North 9th Street and south of where North 9th Street intersects East Broad Street) and within the right-of-way of East Broad Street (between the area from where the western right-of-way line of North 9th Street intersects East Broad Street to where the ~~western~~ eastern right-of-way line of Governor Street intersects East Broad Street), which rights-of-way are owned by the City of Richmond (City), and more specifically as determined by the DGS project team and in collaboration with the City with respect to such rights-of-way. Accordingly, the City and DGS shall enter into a deed of easement or other proper instruments, in such form approved by the Offices of the City Attorney and of the Commonwealth Office of the Attorney General, whereby the City, without charge to the Commonwealth, shall grant to DGS, as agent of the Commonwealth, where mutually agreeable across, over, under and above the referenced right-of-way of North 9th Street and East Broad Street, (a) the perpetual and irrevocable right, privilege and easement to construct, install, use, operate, inspect, maintain, repair, replace, rebuild, improve, alter and remove (i) any construction or installation contracted for by DGS either as part of the referenced construction projects or at any time with respect to safety and security enhancements around the perimeter of Capitol Square deemed appropriate by DGS and (ii) all equipment, accessories,

utilities and appurtenances necessary to support such construction projects and such incorporation of safety and security enhancements, (b) the perpetual and irrevocable right, privilege and easement to inspect, maintain, repair, replace and rebuild the sidewalks and elements thereof (but not traffic control devices and signage or street lighting located thereupon) of the referenced right-of-way of North 9th Street and East Broad Street and (c) any necessary or appropriate temporary construction easements, upon terms approved by the Mayor of Richmond and the Governor (pursuant to § 2.2-1149, Code of Virginia); approval by Richmond City Council shall not be required.

2. The City, without expending City funds, shall cooperate with DGS (i) to support the referenced construction project work and incorporation of safety and security enhancements at and along North 9th Street and East Broad Street, (ii) to relocate any utilities located in the agreed upon easement area, if necessary, and (iii) to coordinate any closure or other traffic flow controls of North 9th Street and East Broad Street during the performance of the construction projects and the incorporation of any safety and security features that will enhance safety and security around the perimeter of Capitol Square. At no time shall DGS make any permanent changes to the North 9th Street or East Broad Street rights-of-way without the prior approval of the Chief Administrative Officer of the City or the City hinder or delay construction of the referenced construction projects. Notwithstanding the foregoing, DGS may commence the construction project work and safety and security enhancements within the referenced right-of-way of North 9th Street and East Broad Street prior to the execution of a deed of easement or other proper instruments, if deemed necessary by DGS to avoid delay in the implementation of the construction project work or safety and security enhancements.

B. ~~1.~~ Pursuant to projects authorized and funded in paragraph E.1 of Item C-39.40 of Chapter 1 of the Acts of Assembly of 2014, operations of the Virginia General Assembly have temporarily moved and now operate from the Pocahontas Building bounded by the following streets 9th to the west, 10th to the east, Bank to the north, and Main to the south in the City of Richmond. This temporary move has resulted in the Commonwealth's legislative activities to be concentrated in an area requiring traffic and pedestrian operational safety and security enhancements. As such, and pursuant to the responsibilities of the Department of General Services (DGS) (§ 2.2-1129) and the Division of Capitol Police (DCP) (§ 30-34.2:1), Bank Street from 9th to 12th Street in the City of Richmond shall be controlled by the DGS and the DCP ~~year round while General Assembly operations are located, and conducted, in the Pocahontas Building.~~ Vehicular travel limitations and pedestrian management needs on and along Bank Street shall be determined jointly by the DGS and the DCP ~~during this time.~~ These determinations will be based on the recommendations outlined in the Bank Street Safety and Security Assessment prepared by Commonwealth Architects dated February 15, 2017 (the Assessment). Funding for materials and contract services needed to address pedestrian and vehicle management activities are available to DGS from the Chapter referenced in this item. ~~2. At no time, will DGS or DCP make permanent changes to Bank Street right-of-way (e.g. traffic control devices, security fixtures, street lighting, surface treatments) without the approval of the City of Richmond's Chief Administrative Officer. Additionally, at no time will the City prevent DGS and DCP from implementing and maintaining the recommendations outlined in~~

~~the Assessment. Bank Street operations, as described in paragraph A, will remain under the control of DGS and DCP year-round until control of Bank Street I reverts to the City of Richmond upon the General Assembly, and its operations, vacating the Pocahontas Building, and the General Assembly, with approval of the Governor, authorizing control of Bank Street back to the City of Richmond."~~

Explanation:

(This amendment modifies existing language having to do with Seat of Government security and resolves conflict between the two, in a companion amendment in Item 4-5.11.)

Item 3-1.01 #1s

Transfers

Interfund Transfers

Language

Language:

Page 234, set out item § 3-3.01, and after paragraph JJ., insert:

"KK. On or before June 30, 2021, the State Comptroller shall transfer to the general fund, the balance of the Aerospace Manufacturer Workforce Training Grant Fund estimated at \$1,203,000."

Explanation:

(This amendment transfers the balance of the Aerospace Manufacturer Workforce Training Grant Fund to the general fund. Upon enrolling, Item § 3-3.01 will be set out and enrolled appropriately.)

Item 3-1.01 #2s

Transfers

Interfund Transfers

Language

Language:

Page 233, line 2, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.
"

§ 3-1.00 TRANSFERS

§ 3-1.01 INTERFUND TRANSFERS

A.1. In order to reimburse the general fund of the state treasury for expenses herein authorized to be paid therefrom on account of the activities listed below, the State Comptroller shall transfer the sums stated below to the general fund from the nongeneral funds specified, except as noted, on January 1 of each year of the current biennium. Transfers from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of the quarter. The payment for the fourth quarter of each fiscal year shall be made in the month of June.

	FY 2021	FY 2022
1. Alcoholic Beverage Control Enterprise Fund (§ 4.1-116, Code of Virginia)		
a) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from Alcoholic Beverage Control gross profits)	\$65,375,769	\$65,375,769
b) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from gross wine liter tax collections as specified in § 4.1-234, Code of Virginia)	\$9,141,363	\$9,141,363
2. Forest Products Tax Fund (§ 58.1-1609, Code of Virginia)		
	\$23,613	\$23,613
For collection by Department of Taxation		
3. Peanut Fund (§3.2-1906, Code of Virginia)		
	\$2,419	\$2,419
4. For collection by Department of Taxation		

a). Aircraft Sales & Use Tax (§ 58.1-1509, Code of Virginia)		
	\$39,169	\$39,169
b) Soft Drink Excise Tax		
	\$1,596	\$1,596
c) Virginia Litter Tax		
	\$9,472	\$9,472
5. Proceeds of the Tax on Motor Vehicle Fuels		
For inspection of gasoline, diesel fuel and motor oils	\$97,586	\$97,586
6. Virginia Retirement System (Trust and Agency)		
For postage by the Department of the Treasury	\$34,500	\$34,500
7. Alcoholic Beverage Control Authority (Enterprise)		
For services by the:		
a) Auditor of Public Accounts	\$75,521	\$75,521
b) Department of Accounts	\$64,607	\$64,607
c) Department of the Treasury	\$47,628	\$47,628
TOTAL	\$74,913,243	\$74,913,243

2.a. Transfers of net profits from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of each quarter. The transfer of fourth quarter profits shall be estimated and made in the month of June. In the event actual net profits are less than the estimate transferred in June, the difference shall be deducted from the net profits of the next quarter and the resulting sum transferred to the general fund. Distributions to localities shall be made within fifty (50) days of the close of each quarter. Net profits are estimated at ~~\$125,100,000~~ *\$128,400,000* the first year and ~~\$128,700,000~~ *\$132,100,000* the second year.

b. Notwithstanding the provisions of § 4.1-116 B, Code of Virginia, the Alcoholic Beverage Control Authority shall properly record the depreciation of all depreciable assets, including approved projects, property, plant and equipment. The State Comptroller shall be notified of the amount of depreciation costs recorded by the Alcoholic Beverage Control Authority. However, such depreciation costs shall not be the basis for reducing the quarterly transfers

needed to meet the estimated profits contained in this act.

B.1. If any transfer to the general fund required by any subsections of §§ 3-1.01 through 3-6.04 is subsequently determined to be in violation of any federal statute or regulation, or Virginia constitutional requirement, the State Comptroller is hereby directed to reverse such transfer and to return such funds to the affected nongeneral fund account.

2. There is hereby appropriated from the applicable funds such amounts as are required to be refunded to the federal government for mutually agreeable resolution of internal service fund over-recoveries as identified by the U. S. Department of Health and Human Services' review of the annual Statewide Indirect Cost Allocation Plans.

C. In order to fund such projects for improvement of the Chesapeake Bay and its tributaries as provided in § 58.1-2289 D, Code of Virginia, there is hereby transferred to the general fund of the state treasury the amounts listed below. From these amounts \$2,583,531 the first year and \$2,583,531 the second year shall be deposited to the Virginia Water Quality Improvement Fund pursuant to § 10.1-2128.1, Code of Virginia, and designated for deposit to the reserve fund, for ongoing improvements of the Chesapeake Bay and its tributaries. The Department of Motor Vehicles shall be responsible for effecting the provisions of this paragraph. The amounts listed below shall be transferred on June 30 of each fiscal year.

154	Department of Motor Vehicles	\$10,000,000	\$10,000,000
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D. The provisions of Chapter 6 of Title 58.1, Code of Virginia notwithstanding, the State Comptroller shall transfer to the general fund from the special fund titled "Collections of Local Sales Taxes" a proportionate share of the costs attributable to increased local sales and use tax compliance efforts, the Property Tax Unit, and State Land Evaluation Advisory Committee (SLEAC) services by the Department of Taxation estimated at \$6,202,002 the first year and \$6,202,002 the second year.

E. The State Comptroller shall transfer to the general fund from the Transportation Trust Fund a proportionate share of the costs attributable to increased sales and use tax compliance efforts and revenue forecasting for the Transportation Trust Fund by the Department of Taxation estimated at \$2,993,308 the first year and \$2,993,308 the second year.

F.1. On or before June 30 of each year, the State Comptroller shall transfer \$12,287,244 the first year and \$12,287,244 the second year to the general fund the following amounts from the agencies and fund sources listed below, for expenses incurred by central service agencies:

Agency Name	Fund Group	FY 2021	FY 2022
Administration of Health Insurance (149)	0500	\$618,420	\$618,420
Department of Forestry (411)	0200	\$5,303	\$5,303
Department of Forestry (411)	0900	\$312	\$312
Department of Professional and Occupational Regulations (222)	0200	\$5,023	\$5,023
Tobacco Region Revitalization Commission (851)	0900	\$19,411	\$19,411
Southwest Virginia Higher Education Center (948)	0200	\$9,535	\$9,535

The Science Museum of Virginia (146)	0200	\$25,000	\$25,000
Virginia Museum of Fine Arts (238)	0200	\$20,764	\$20,764
Virginia Museum of Fine Arts (238)	0500	\$14,344	\$14,344
Virginia Museum of Natural History (942)	0200	\$1,176	\$1,176
Board of Accountancy (226)	0900	\$13,366	\$13,366
Department for Aging and Rehabilitative Services (262)	0200	\$41,215	\$41,215
Department for the Deaf and Hard of Hearing (751)	0200	\$4,533	\$4,533
Department of Behavioral Health and Developmental Services (720)	0200	\$61,085	\$61,085
Department of Health (601)	0900	\$123,687	\$123,687
Virginia Foundation for Healthy Youth (852)	0900	\$16,548	\$16,548

State Corporation Commission (171)	0900	\$9,058	\$9,058
Virginia College Savings Plan (174)	0500	\$351,045	\$351,045
Board of Bar Examiners (233)	0200	\$1,324	\$1,324
Supreme Court (111)	0900	\$370,537	\$370,537
Department of Conservation and Recreation (199)	0200	\$111,878	\$111,878
Department of Conservation and Recreation (199)	0900	\$37,175	\$37,175
Department of Game and Inland Fisheries (403)	0900	\$130,208	\$130,208
Marine Resources Commission (402)	0900	\$2,525	\$2,525
Department of Criminal Justice Services (140)	0200	\$56,351	\$56,351
Department of Criminal Justice Services (140)	0900	\$1,153	\$1,153
Department of Fire Programs (960)	0200	\$106,205	\$106,205

Division of Community Corrections (767)	0900	\$17,156	\$17,156
Department of Aviation (841)	0400	\$79,561	\$79,561
Department of Motor Vehicles (154)	0400	\$3,878,102	\$3,878,102
Department of Rail and Public Transportation (505)	0400	\$740,647	\$740,647
Department of Transportation (501)	0400	\$5,128,092	\$5,128,092
Motor Vehicle Dealer Board (506)	0200	\$16,447	\$16,447
Virginia Port Authority (407)	0200	\$172,599	\$172,599
Virginia Port Authority (407)	0400	\$86,102	\$86,102
Department of Military Affairs (123)	0900	\$11,357	\$11,357
		\$12,287,244	\$12,287,244

2. Following the transfers authorized in paragraph F.1. of this section in the each year, the State Comptroller shall transfer \$2,787,795 each year back to the Department of Motor Vehicles to replace the anticipated loss of driving privilege reinstatement fee revenue.

G.1. The State Comptroller shall transfer to the Lottery Proceeds Fund established pursuant to § 58.1-4022.1, Code of Virginia, an amount estimated at \$657,959,397 the first year and \$666,104,670 the second year, from the Virginia Lottery Fund. The transfer each year shall be made in two parts: (1) on or before January 1 of each year, the State Comptroller shall transfer the balance of the Virginia Lottery Fund for the first five months of the fiscal year and (2) thereafter, the transfer will be made on a monthly basis, or until the amount estimated at \$616,156,022 the first year and \$622,317,582 the second year has been transferred to the Lottery Proceeds Fund. Prior to June 20 of each year, the Virginia Lottery Executive Director shall estimate the amount of profits in the Virginia Lottery Fund for the month of June and shall notify the State Comptroller so that the estimated profits can be transferred to the Lottery Proceeds Fund prior to June 22.

2. No later than 10 days after receipt of the annual audit report required by § 58.1-4022.1, Code of Virginia, the State Comptroller shall transfer to the Lottery Proceeds Fund the remaining audited balances of the Virginia Lottery Fund for the prior fiscal year. If such annual audit discloses that the actual revenue is less than the estimate on which the June transfer was based, the State Comptroller shall adjust the next monthly transfer from the Virginia Lottery Fund to account for the difference between the actual revenue and the estimate transferred to the Lottery Proceeds Fund. The State Comptroller shall take all actions necessary to effect the transfers required by this paragraph, notwithstanding the provisions of § 58.1-4022, Code of Virginia. In preparing the Comprehensive Annual Financial Report, the State Comptroller shall report the Lottery Proceeds Fund as specified in § 58.1-4022.1, Code of Virginia.

H.1. The State Treasurer is authorized to charge up to 20 basis points for each nongeneral fund account which he manages and which receives investment income. The assessed fees, which are estimated to generate \$3,000,000 the first year and \$3,000,000 the second year, will be based on a sliding fee structure as determined by the State Treasurer. The amounts shall be paid into the general fund of the state treasury.

2.a. The State Treasurer is authorized to charge institutions of higher education participating in the pooled bond program of the Virginia College Building Authority an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected from the

public institutions of higher education, which are estimated to generate \$100,000 the first year and \$100,000 the second year, shall be paid into the general fund of the state treasury.

3. The State Treasurer is authorized to charge agencies, institutions and all other entities that utilize alternative financing structures and require Treasury Board approval, including capital lease arrangements, up to 10 basis points of the amount financed in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected shall be paid into the general fund of the state treasury.

4. The State Treasurer is authorized to charge projects financed under Article X, Section 9(c) of the Constitution of Virginia, an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected are estimated to generate \$50,000 the first year and \$50,000 the second year, and shall be paid into the general fund of the state treasury.

I. The State Comptroller shall transfer to the general fund of the state treasury 50 percent of the annual reimbursement received from the Manville Property Damage Settlement Trust for the cost of asbestos abatement at state-owned facilities. The balance of the reimbursement shall be transferred to the state agencies that incurred the expense of the asbestos abatement.

J. The State Comptroller shall transfer to the general fund from the Revenue Stabilization Fund in the state treasury any amounts in excess of the limitation specified in § 2.2-1829, Code of Virginia.

K.1. Not later than 30 days after the close of each quarter during the biennium, the State Comptroller shall transfer, notwithstanding the allotment specified in § 58.1-1410, Code of Virginia, funds collected pursuant to § 58.1-1402, Code of Virginia, from the general fund to the Game Protection Fund. This transfer shall not exceed \$5,500,000 the first year and \$5,500,000 the second year.

2. Notwithstanding the provisions of subparagraph K.1. above, the Governor may, at his

discretion, direct the State Comptroller to transfer to the Game Protection Fund, any funds collected pursuant to § 58.1-1402, Code of Virginia, that are in excess of the official revenue forecast for such collections.

L.1. On or before June 30 each year, the State Comptroller shall transfer from the general fund to the Family Access to Medical Insurance Security Plan Trust Fund the amount required by § 32.1-352, Code of Virginia. This transfer shall not exceed \$14,065,627 the first year and \$14,065,627 the second year. The State Comptroller shall transfer 90 percent of the yearly estimated amounts to the Trust Fund on July 15 of each year.

2. Notwithstanding any other provision of law, interest earnings shall not be allocated to the Family Access to Medical Insurance Security Plan Trust Fund (agency code 602, fund detail 0903) in either the first year or the second year of the biennium.

M. Not later than thirty days after the close of each quarter during the biennium, the State Comptroller shall transfer to the Game Protection Fund the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia. Notwithstanding § 58.1-638 E, this transfer shall not exceed \$11,000,000 the first year and \$11,000,000 the second year. Notwithstanding § 58.1-638 E, on or before June 30 of the first year and June 30 of the second year, the State Comptroller shall transfer to the Virginia Port Authority \$1,500,000 of the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia, to enhance and improve recreation opportunities for boaters, including but not limited to land acquisition, capital projects, maintenance, and facilities for boating access to the waters of the Commonwealth pursuant to the provisions of Senate Bill 693, 2018 Session of the General Assembly.

N.1. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Indemnification and Community Revitalization Fund to the general fund an amount estimated at \$244,268 the first year and \$244,268 the second year. This amount represents the Tobacco Indemnification and Community Revitalization Commission's 50 percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.

2. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco

Settlement Fund to the general fund an amount estimated at \$48,854 the first year and \$48,854 the second year. This amount represents the Tobacco Settlement Foundation's ten percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.

O. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$2,400,000 the first year and \$2,400,000 the second year from the Court Debt Collection Program Fund at the Department of Taxation.

P. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$7,400,000 the first year and \$7,400,000 the second year from the Department of Motor Vehicles' Uninsured Motorists Fund. These amounts shall be from the share that would otherwise have been transferred to the State Corporation Commission.

Q. On or before June 30 each year, the State Comptroller shall transfer an amount estimated at \$5,000,000 the first year and an amount estimated at \$5,000,000 the second year to the general fund from the Intensified Drug Enforcement Jurisdictions Fund at the Department of Criminal Justice Services.

R. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$3,864,585 the first year and \$3,864,585 the second year from operating efficiencies to be implemented by the Alcoholic Beverage Control Authority.

S. On or before June 30 each year, the State Comptroller shall transfer \$466,600 the first year and \$466,600 the second year to the general fund from the Land Preservation Fund (Fund 0216) at the Department of Taxation.

T. Unless prohibited by federal law or regulation or by the Constitution of Virginia and notwithstanding any contrary provision of state law, on June 30 of each fiscal year, the State Comptroller shall transfer to the general fund of the state treasury the cash balance from any nongeneral fund account that has a cash balance of less than \$100. This provision shall not

apply to institutions of higher education, bond proceeds, or trust accounts. The State Comptroller shall consult with the Director of the Department of Planning and Budget in implementing this provision and, for just cause, shall have discretion to exclude certain balances from this transfer or to restore certain balances that have been transferred.

U.1. The Brunswick Correctional Center operated by the Department of Corrections shall be sold. The Commonwealth may enter into negotiations with (1) the Virginia Tobacco Indemnification and Community Revitalization Commission, (2) regional local governments, and (3) regional industrial development authorities for the purchase of this property as an economic development site.

2. Notwithstanding the provisions of § 2.2-1156, Code of Virginia or any other provisions of law, the proceeds of the sale of the Brunswick Correctional Center shall be paid into the general fund.

V. On a monthly basis, in the month subsequent to collection, the State Comptroller shall transfer all amounts collected for the fund created pursuant to § 17.1-275.12 of the Code of Virginia, to Items 354, 406, and 426 of this act, for the purposes enumerated in Section 17.1-275.12.

W. On or before June 30 each year, the State Comptroller shall transfer \$12,518,587 the first year and \$12,518,587 the second year to the general fund from the \$2.00 increase in the annual vehicle registration fee from the special emergency medical services fund contained in the Department of Health's Emergency Medical Services Program (40200).

X. The provisions of Chapter 6.2, Title 58.1, Code of Virginia, notwithstanding, on or before June 30 each year the State Comptroller shall transfer to the general fund from the proceeds of the Virginia Communications Sales and Use Tax (fund 0926), the Department of Taxation's indirect costs of administering this tax estimated at \$106,451 the first year and \$106,451 the second year.

Y. Any amount designated by the State Comptroller from the June 30, 2020, or June 30, 2021, general fund balance for transportation pursuant to § 2.2-1514B., Code of Virginia, is hereby

appropriated.

Z. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the State Health Insurance Fund (Fund 06200) the balance from the Administration of Health Benefits Services Fund (Fund 06220) at the Department of Human Resource Management.

AA. The Department of General Services is authorized to dispose of the following property currently owned by the Department of Corrections in the manner it deems to be in the best interests of the Commonwealth: Pulaski Correctional Center and White Post Detention and Diversion Center. Such disposal may include sale or transfer to other agencies or to local government entities. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale of all or any part of the properties shall be deposited into the general fund.

BB. The State Comptroller shall transfer all revenues collected each year to the general fund from the Firearms Transaction, Concealed Weapons Permit, and Conservator of the Peace Programs at the Department of State Police.

CC. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the Health Insurance Fund - Local (Fund 05200) at the Administration of Health Insurance the balance from the Administration of Local Benefits Services Fund (Fund 05220) at the Department of Human Resource Management.

DD. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the Line of Duty Death and Health Benefits Trust Fund (Fund 07420) at the Administration of Health Insurance the balance from the Administration of Health Benefits Payment - LODA Fund (Fund 07422) at the Department of Human Resource Management.

EE. On or before June 30, of each fiscal year, the State Comptroller shall transfer \$154,743 from Special Funds of the Department of Behavioral Health and Developmental Services (720) to Special Funds at the Office of the State Inspector General (147).

FF. The Department of General Services, with the cooperation and support of the Department of Agriculture and Consumer Services, is authorized to sell, for such consideration and the Governor may approve, a portion of the Eastern Shore Farmers Market, including the Market Office Building at 18491 Garey Road and the Produce Warehouse at 18513 Garey Road, Melfa, Virginia 23410. The Department of Agriculture and Consumer Services, with the recommendation of the Department of General Services, is authorized to grant any easement necessary to facilitate the sale of this portion of the Eastern Shore Farmer's Market. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale shall first be applied toward remediation options under federal tax law of any outstanding tax-exempt bonds on the property. After deduction of the expenses incurred by the Department of Agriculture and Consumer Services, any proceeds that remain shall be deposited to the general fund. Any conveyance shall be approved by the Governor in a manner set forth in § 2.2-1150, Code of Virginia.

GG. On or before June 30 of each fiscal year, the State Comptroller shall transfer to the general fund the portion of the balances of the Disaster Recovery Fund (Fund 02460) and Covid-19 Addtnl State Funding (Fund 02019) at the Virginia Department of Emergency Management that was received as a federal cost recovery. The amounts transferred represent repayment of the sum sufficient fund originally appropriated for federally-declared emergencies. The Department of Emergency Management shall report to the State Comptroller the amount of the balance to be transferred by June 1 of each year.

HH. Notwithstanding the provisions of subsection A of § 58.1-662, Code of Virginia, and in addition to clause (i) and (ii) of that subsection, monies in the Communications Sales and Use Tax Trust Fund shall not be allocated to the Commonwealth's counties, cities, and towns until after an amount equal to \$2,000,000 the first year is allocated to the general fund. The State Comptroller shall deposit to the general fund \$2,000,000 on or before June 30, the first year and an additional \$2,000,000 on or before June 30, the second year from the revenues received from the Communications Sales and Use Tax.

II. The transfer of excess amounts in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund to the general fund pursuant to Item 59 of this act is estimated at \$500,000 the first year and \$500,000 the second year.

JJ. On or before June 30, 2021, the State Comptroller shall transfer \$1,000,000 in Speical Funds from the Corrections Special Reserve Fund, pursuant to § 30-19.1:4 of the Code of

Virginia, to the capital planning project authorized in Item C-66, Paragraph G of this act."

Explanation:

(This amendment increases the required net profit transfers from the Alcoholic Beverage Control Authority (ABC) Enterprise Fund to the general fund by \$3.3 million in the first year and \$3.4 million in the second year, based on above-budget alcohol sales.)

Item 3-4.01 #1s

Auxiliary Enterprises and Sponsored Programs in Institutions of Higher Education

Auxiliary Enterprise Investment Yields

Language

Language:

Page 234, line 33, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

Page 610, strike § 3-4.01 and insert:

"§ 3-4.01 AUXILIARY ENTERPRISE INVESTMENT YIELDS

A. 1. The educational and general programs in institutions of higher education shall recover the full indirect cost of auxiliary enterprise programs as certified by institutions of higher education to the Comptroller subject to annual audit by the Auditor of Public Accounts. The State Comptroller shall credit those institutions meeting the requirement with the interest earned by the investment of funds of their auxiliary enterprise programs.

2. The University of Virginia's College at Wise is authorized to suspend the transfer of the recovery of the full indirect cost of auxiliary enterprise programs to the educational and general program for the 2020-2022 biennium.

3. Institutions of higher education shall have the authority to reduce the recovery of the full indirect cost of auxiliary enterprise programs to the educational and general program for the 2020-2022 biennium as a result of the significant financial impact on auxiliary enterprise programs caused by the COVID-19 pandemic.

4. Institutions of higher education shall have the authority to use available fund balances from other fund sources, to include educational and general program reserves, to support operations, increased costs or revenue reductions, for auxiliary enterprise programs for the 2020-22 biennium. However, with the exception of transfer payments, education and general program reserves may not be used to directly support intercollegiate athletics. Prior to any

fund transfer, non-covered institutions shall notify the Secretary of Finance in writing of their intent and justification for the transfer. The Secretary of Finance has 10 business days to deny the transfer by a notifying institution.

B. No interest shall be credited for that portion of the fund's cash balance that represents any outstanding loans due from the State Treasurer. The provisions of this section shall not apply to the capital projects authorized under Items C-36.21 and C-36.40 of Chapter 924, 1997 Acts of Assembly."

Explanation:

(This amendment modifies existing language to provide temporary flexibility to institutions of higher education.)

Item 4-0.01 #1s

Operating Policies

Operating Policies

Language

Language:

Page 237, strike line 2, and insert:

"§ 4-0.01 OPERATING POLICIES

- a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.
- b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.
- c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.
- d. Public higher education institutions are not subject to the provisions of § 2.2-4800, Code of Virginia, or the provisions of the Department of Accounts' Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of outstanding accounts receivable.
- e. The provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia) shall not apply to grants made in support of the 2019 Commemoration to non-profit entities organized under § 501 (c)(3) of the Internal Revenue Code.
- f. 1. The State Council of Higher Education for Virginia shall establish a policy for granting undergraduate course credit to entering freshman students who have taken one or more

Advanced Placement, Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate examinations by August 1, 2017. The policy shall:

- a) Outline the conditions necessary for each public institution of higher education to grant course credit, including the minimum required scores on such examinations;
- b) Identify the course credit or other academic requirements of each public institution of higher education that the student satisfies by achieving the minimum required scores on such examinations; and
- c) Ensure, to the extent possible, that the grant of course credit is consistent across each public institution of higher education and each such examination.

2. The Council and each public institution of higher education shall make the policy available to the public on its website.

g. 1. Notwithstanding any other provision of law, any public body, including any state, local, regional, or regulatory body, or a governing board as defined in § 54.1-2345 of the Code of Virginia may meet by electronic communication means without a quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; (ii) the purpose of meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body or common interest community association as defined in § 54.1-2345 of the Code of Virginia and the discharge of its lawful purposes, duties, and responsibilities; (iii) a public body shall make available a recording or transcript of the meeting on its website in accordance with the timeframes established in §§ 2.2-3707 and 2.2-3707.1 of the Code of Virginia; and (iv) the governing board shall distribute minutes of a meeting held pursuant to this subdivision to common interest community association members by the same method used to provide notice of the meeting.

2. A public body or governing board convening a meeting in accordance with this subdivision shall:

a) Give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body or governing board conducting the meeting;

b) Make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable, videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment; and

3. Public bodies must otherwise comply with the provisions of § 2.2-3708.2 of the Code of Virginia. The nature of the emergency, the fact that the meeting was held by electronic

communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the public body or governing board.

h. Notwithstanding §2.2-1510 B., Code of Virginia, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, during a state of emergency as declared by the Governor, shall hold at least one, but up to four, public hearings, on the budget bill the Governor submits for the 2021 Regular Session and may hold such hearings through electronic means, if deemed necessary, to ensure the safety of all participants."

Explanation:

(This amendment provides flexibility for the Chairs of the House Appropriations and Senate Finance and Appropriations Committees to determine how many budget hearings will be held on the Governor's proposed budget prior to the 2021 Regular Session and if such hearings will be through electronic means. The COVID-19 pandemic may require such hearings to be held online in an electronic format for the safety of all participants involved. This amendment provides temporary flexibility to determine the safest and most appropriate way to hear public comment on the budget during the pandemic.)

Item 4-5.11 #1s

Special Conditions and Restrictions on Expenditures

Seat of Government Traffic and Pedestrian Safety

Language

Language:

Page 238, line 16, strike "Not set out." and insert:
 Amendment drawn to Chapter 1289
 Page 650, strike section 4-5.11 and insert:

"§ 4-5.11 SEAT OF GOVERNMENT TRAFFIC AND PEDESTRIAN SAFETY

In order to implement and maintain traffic and pedestrian operational safety and security enhancements and secure the seat of government, the Commonwealth Transportation Board shall, not later than January 1, 2020, add to the state primary highway system, pursuant to § 33.2-314, Code of Virginia, those portions of the rights-of-way located in the City of Richmond identified as Bank Street from 9th Street to 14th Street, 10th Street from Main Street to Bank Street, 12th Street from Main Street to Bank Street, and Governor Street from Main Street to Bank Street and, pursuant to the responsibilities of the Department of General Services (DGS) (§ 2.2-1129) and the Division of Capitol Police (DCP) (§ 30-34.2:1), DGS and DCP shall control those rights-of-way and pedestrian and vehicular traffic thereon. The

rights-of-way so transferred shall be in addition to the 50 miles per year authorized to be transferred under § 33.2-314(A). *The City of Richmond shall transfer fee ownership of the rights-of-way identified in this section to DGS by deed or other instrument, as determined by DGS.*"

Explanation:

(This amendment modifies existing language to address the transfer of rights-of-way having to do with Seat of Government security and resolves conflict between the two, in a companion amendment in Item C-74.)

Chief Patron:

ERRATA

Item 4-14 #1s

Effective Date

Language

Language:

Page 241, strike lines 21 through 48.

Page 242, strike lines 1 through 6, and insert:

"8. a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in §44-146.16 of the Code of Virginia, no court shall issue a writ of eviction to obtain possession of a dwelling unit, for non-payment of rent or delinquency incurred until January 31, 2021, unless such tenant refuses to apply for rental assistance through the Virginia Rent and Mortgage Relief Program. Such landlords and tenants must also comply with the following.

1. For an Owner who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, if rent is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the total amount due and owed. The written notice shall also inform the tenant that if the tenant provides to the landlord a signed statement certifying that the tenant has experienced expenses or a loss of income due to the declared state of emergency, the tenant may enter into a payment plan under which the tenant shall be required to pay the total amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement. The total amount due and owed under a payment plan shall not include any late fees, and no late fees shall be assessed during any time period in which a tenant is making timely payments under a payment plan. If the tenant fails to pay in full, enter into a written payment plan with the

landlord, or pay any installment required by the plan, the landlord may not seek a writ of eviction to obtain possession of the dwelling unit after January 31, 2021, subject to the requirements in subsection b, unless such tenant refuses to apply for rental assistance through the Virginia Rent and Mortgage Relief Program, as described in subsection 2 below. Nothing in this subsection shall preclude a tenant from availing himself of any other rights or remedies available to him under the law, nor shall the tenant's eligibility to participate or participation in any rent relief program offered by a nonprofit organization or under the provisions of any federal, state, or local law, regulation, or action prohibit the tenant from taking advantage of the provisions of this subsection.

2. If rent is unpaid when due, or if a payment under the terms of a payment plan is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the Virginia Rent and Mortgage Relief Program and information on how to reach 2-1-1 Virginia to determine any additional federal, state, and local rent relief programs. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent will apply for rental assistance with the Virginia Rent and Mortgage Relief Program on behalf of the tenant, or the landlord will cooperate with the tenant's application for rental assistance with the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, by providing required documentation for such application, including the W-9 IRS form and any supporting affidavit. If the tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance, the landlord may take action to obtain possession of a dwelling unit for non-payment of rent or delinquency incurred. If the landlord or the tenant does not receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, the landlord may not seek a writ of eviction to obtain possession of the dwelling unit after January 31, 2021, subject to the requirements in subsection b. For any subsequent application by the owner, landlord, owner's licensed agent, or the tenant to the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, the administrator of the Virginia Rent and Mortgage Relief Program or the administrator of any other federal, state, or local rent relief program shall work diligently to process such application within fourteen days of submission of such application. If the tenant does not qualify for the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, or there are no longer funds available from these sources, then the provisions of this subsection do not apply.

3. Protections herein shall be construed to provide a greater level of public health protection than provided by the Agency Order from the Centers for Disease Control and Prevention dated September 1, 2020, entitled Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19.

b. After January 31, 2021, notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in §44-146.16 of the Code of Virginia, no court shall issue a writ of eviction to obtain possession of a dwelling unit for non-payment of rent or delinquency incurred until such declared state of emergency ends except as follows:

1. For an Owner who owns four or fewer rental dwelling units in the Commonwealth, if rent is unpaid when due and the tenant fails to pay rent within fourteen days after written notice is served on him, pursuant to § 55.1-1202, notifying the tenant of his nonpayment and of the landlord's intention to obtain possession of the premises if the rent is not paid within the fourteen-day period, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that the landlord also complies with subsection 3 below.

2. For an Owner who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, if rent is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the total amount due and owed. The written notice shall also inform the tenant that if the tenant provides to the landlord a signed statement certifying that the tenant has experienced expenses or a loss of income due to the declared state of emergency, the tenant may enter into a payment plan under which the tenant shall be required to pay the total amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement. The total amount due and owed under a payment plan shall not include any late fees, and no late fees shall be assessed during any time period in which a tenant is making timely payments under a payment plan. The written notice shall also inform the tenant that if the tenant fails to either pay the total amount due and owed or enter into the payment plan offered, or an alternative payment arrangement acceptable to the landlord, within fourteen days of receiving the written notice from the landlord, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If the tenant fails to pay in full or enter into a written payment plan with the landlord within fourteen days of when the notice is served on him, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that the landlord also complies with subsection 3 below. If the tenant enters into a payment plan and, after the plan becomes effective, fails to pay any installment required by the plan within fourteen days of its due date, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that he has sent the tenant a new notice, pursuant to § 55.1-1202, advising the tenant of the landlord's intention to obtain possession of the premises unless the tenant pays the total amount due and owed as stated on the notice within fourteen days of receipt and provided that the landlord complies with subsection 3 below. The option of entering into a payment plan or alternative payment arrangement pursuant to this subdivision may only be utilized once during the time period of the rental agreement. Nothing in this subsection shall preclude a tenant from availing himself of any other rights or remedies available to him under the law, nor shall the tenant's eligibility to participate or participation in any rent relief program offered by a nonprofit organization or under the provisions of any federal, state, or local law, regulation, or action prohibit the tenant from taking advantage of the provisions of this subsection.

3. If rent is unpaid when due, or if a payment under the terms of a payment plan is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the Virginia Rent and Mortgage Relief Program and information on how to reach 2-1-1 Virginia to determine any additional federal, state, and local rent relief programs. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent will apply for rental assistance with the Virginia Rent and Mortgage Relief Program on behalf of the tenant, or the landlord will cooperate with the tenant's application for rental assistance with the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, by providing required documentation for such application, including the W-9 IRS form and any supporting affidavit. If the tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance, the landlord may take action to obtain possession of a dwelling unit for non-payment of rent or delinquency incurred. If the landlord or the tenant does not receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program within forty five days of when the notice is served on the tenant, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. For any subsequent application by the owner, landlord, owner's licensed agent, or the tenant to the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, the administrator of the Virginia Rent and Mortgage Relief Program or the administrator of any other federal, state, or local rent relief program shall work diligently to process such application within fourteen days of submission of such application. If the landlord or tenant does not receive written approval from the Virginia Rent and Mortgage Relief program or any other federal, state, or local rent relief program within fourteen days of submission of the subsequent application, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If the tenant does not qualify for the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, or there are no longer funds available from these sources, then the provisions of this subsection do not apply.

c. If a landlord reports to a consumer reporting agency or debt collector regarding a tenant who is participating in the repayment plan or receiving assistance from a federal, state, or local rent relief program, the landlord shall report the account as "current" in accordance with the Public Law 116-36: Corona Virus Aid, Relief, and Economic Security Act.

d. If a tenant is complying with a written payment plan with the landlord or has resolved any non-payment of rent or delinquency incurred, the landlord cannot take any action to obtain possession of a dwelling unit for non-payment of rent or delinquency incurred.

e. Nothing in this Section relieves either the landlord or the tenant from their obligations to maintain the dwelling as those obligations are set forth in Article 2 and Article 3 of Chapter 12 of Title 55.1.

f. Nothing in this section shall void any judgment for possession validly obtained by a landlord prior to the effective date of this Section; however, the court shall not issue a writ of execution thereunder, following the effective date, unless it complies with the provisions of this Section."

Explanation:

(This amendment replaces the eviction moratorium language included in the Governor's proposed budget, and establishes the terms by which a landlord may evict a tenant for nonpayment. For owners with more than 4 dwelling units, requires that the landlord provide written notice informing the tenant of the total amount due and owed; and inform the tenant that if the tenant provides a signed statement certifying that the tenant has experienced expenses or a loss of income due to the declared state of emergency, the tenant may enter into a payment plan and amortize the amount owed over the lesser of 6 months or the remainder of lease term. If the tenant fails to pay in full, enter into a payment plan, or pay any installment required by the plan, the landlord may proceed to obtain possession of the premises after January 31, 2021, provided certain other conditions are met, including notifying the tenant of the availability of rental assistance. For owners with 4 or fewer dwelling units, if rent is unpaid when due and the tenant fails to pay rent within fourteen days after written notice is served on him, the landlord may proceed to obtain possession of the premises after January 31, 2021, as long as the landlord meets certain other conditions, including notifying the tenant of the availability of rental assistance. The amendment also provides that if a tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance, the landlord can take action before January 31, 2021, to obtain possession of a dwelling unit for non-payment of rent or delinquency incurred.)

Item 4-14 #2s

Effective Date

Language

Language:

Page 241, strike lines 1 through 20 and insert:

"7. a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in §44-146.16 of the Code of Virginia, electric companies subject to regulation of the State Corporation Commission ("Commission"), natural gas suppliers subject to the regulation of the Commission, electric and gas municipal utilities, and water suppliers and wastewater service providers ("utilities") are prohibited from disconnecting service ("moratorium" or "prohibition") to residential customers for non-payment of bills or fees until the Governor determines that the economic and public health conditions have improved such that the prohibition does not need to be in place, or until at least 60 days after such declared state of emergency ends, whichever is sooner. The utilities shall notify all customers who are at least 30 days in arrears of this utility disconnection moratorium and the COVID Relief Repayment Plan ("Repayment Plan") within 60 days after the enactment of this Act, which may be by bill insert or bill notice, with information detailing its Repayment Plan, including eligibility and billing information; and

b. No more than 60 days after the enactment of this Act, the utilities must offer customers a Repayment Plan for past due accounts while such prohibition is in effect that includes, at minimum, the following provisions:

1. The Repayment Plan shall not require any new deposits, down payments, fees, late fees, interest charges, or penalties, nor shall such plan accrue any fees, interest, or penalties, including prepayment penalties;
2. The Repayment Plan shall amortize the repayment of a customer's utility debt over a minimum period of 6 months and up to 24 months for each utility. However, a customer may satisfy the Repayment Plan in part or in full at any time; and
3. The utilities shall not apply eligibility criteria, such as installment plan history, while on the Repayment Plan. However, the utilities may require the customer to attest to the utility or to a third party chosen by the utility that the customer has experienced a financial hardship resulting directly or indirectly from the public health emergency or that they have experienced a hardship to pay during the public health emergency.
4. During the disconnection moratorium, if a utility reports to a consumer reporting agency or debt collector regarding a consumer who is on a Repayment Plan the utility shall report the account as "current" in accordance with the Public Law 116-36: Coronavirus Aid, Relief, and

Economic Security Act. Once the disconnection moratorium ends, the utility may resume reporting any default on the Repayment Plan.

c. Nothing herein shall limit or prevent the utilities or the residential customers from applying or seeking debt relief or mitigation from any available resource, from entering into another payment plan offered by the utility, or from renegotiating the terms of the Repayment Plan. If a utility has established a Repayment Plan program that provides financial assistance to utility customers with funding provided through the CARES Act, or directs customers where to access financial assistance with funding provided through the CARES Act, such utility's customers who are at least 30 days in arrears must seek assistance from these programs in order to reduce the customer's arrearage.

d. Notwithstanding anything to the contrary in this clause 7 or any other provision of law, if a utility subject to regulation of the Commission has accounts receivable--- arrearages that exceed 1% of the utility's annual operating revenues, then the utility may obtain relief from this moratorium by filing an informational letter notice with the clerk of the Commission, stating such facts to demonstrate the exceedance and contemporaneously tendering associated workpapers to the staff of the Commission. The Commission staff shall verify the information as filed by the utility and shall file a verification letter with the Clerk of the Commission. The Commission, upon receipt of a favorable verification letter, shall issue a final order within five days. Upon issuance of an order, a utility shall thereafter be exempt from the moratorium provisions of this clause 7.

e. Notwithstanding anything to the contrary in this clause 7 or any other provision of law, if a utility subject to this clause 7 but not subject to regulation of the Commission has accounts receivable---le arrearages that exceed 1% of the utility's annual operating revenues, then the utility may obtain relief from this moratorium if (i) the utility provides a written analysis stating such facts to demonstrate the exceedance, (ii) the utility contemporaneously makes available for public inspection associated workpapers verifying such facts, and (iii) the governing body verifies the exceedance, provides public notice, takes public comment on, and votes to approve that the exceedance is accurate in an open public meeting. In the event of an affirmative vote of the utility's governing body, the utility shall thereafter be exempt from the moratorium provisions of this clause 7.

f. The Commission shall allow for the timely recovery of bad debt obligations, reasonable late payment fees suspended, and prudently incurred implementation costs resulting from a Repayment Plan for electric, gas, water, or wastewater utilities, excluding Phase II utilities, including through a rate adjustment clause or through base rates. The Commission may apply any applicable earnings test in the Commission rules governing utility rate applications and

annual informational filings when assessing the recovery of such costs. The Commission shall also require the utilities subject to regulation by the Commission to submit an annual report on the status of the moratorium and the Repayment Plan, including (a) the number of accounts that are at least 30 days in arrears; (b) the number of accounts that are participating in the Repayment Plan, or another repayment plan as set forth by the utility, and (c) the cumulative level of customer arrearages by locality. The Commission shall provide the chairs of the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade an aggregated anonymized report by utility containing such compiled information within three months of the expiration of the prohibition and annually thereafter for the following two years.

g. Utilities not subject to regulation by the Commission shall submit an annual report on the status of the moratorium and the Repayment Plan to the Commission on Local Government, including (a) the number of accounts that are at least 30 days in arrears; (b) the number of accounts that are participating in the Repayment Plan, or another repayment plan as set forth by the utility, and (c) the cumulative level of customer arrearages by locality. The Commission on Local Government shall provide the chairs of the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade an aggregated anonymized report by utility containing such compiled information within three months of the expiration of the prohibition and annually thereafter for the following two years.

h. Within 60 days after the enactment of this act, a Phase II Utility shall forgive all such utility's jurisdictional customer balances more than 30 days in arrears as of September 30, 2020.

1. In the utility's 2021 triennial review, any forgiven amounts shall be excluded from the utility's cost of service for purposes of determining any test period earnings and determining any future rates of the utility. In determining any customer bill credits, in the utility's 2021 triennial review, the Commission shall first offset any forgiven amounts against the total earnings for the 2017 through 2020 test periods that are determined to be above the utility's authorized earnings band. Such offset shall be made prior to any offset to customer bill credits by customer credit reinvestment offsets.

2. Each Phase II Utility shall, no later than December 31, 2020, submit a report to the Governor, the Chairs of the House Committee on Labor and Commerce and the Senate Committee on Commerce and Labor, the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee, and the Chair of the Commission on Electric Utility Regulation, detailing all actions by it pursuant to this act to forgive customer balances."

Explanation:

(This amendment replaces language in the Governor's introduced budget and provides for a moratorium on utility disconnections for non-payment of bills or fees during a declared state of emergency of a communicable disease of public health threat, to include electric companies and natural gas suppliers subject to regulation of the State Corporation Commission (SCC), electric and gas municipal utilities, and water suppliers and wastewater service providers. It also requires utilities to offer customers a COVID Relief Repayment Plan to pay past-due amounts, provides for an exemption from the moratorium for utilities under certain conditions, directs the SCC to allow for the timely recovery of bad debt obligations for utilities, excluding Phase II utilities, directs Phase II utilities to forgive jurisdictional customer debt for those 30 days in arrears as of September 30, 2020, and requires reporting by regulated and non-regulated utilities on the status of the moratorium and the Repayment Plan to the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade.)

Item 4-14 #3s

Effective Date

Language

Language:

Page 242, after line 6, insert:

"9. The following provisions of law shall become effective on November 15, 2020, contingent upon the passage of an amendment to the Constitution of Virginia on the Tuesday after the first Monday in November 2020, establishing the Virginia Redistricting Commission by amending Section 6 of Article II and adding in Article II a new section numbered 6-A. If such amendment is not approved by the voters, these provisions of law shall not become effective.

§ 30-391 – Virginia Redistricting Commission

A. The Virginia Redistricting Commission is established in the legislative branch of state government. It shall be convened in the year 2020 and every 10 years thereafter for the purpose of establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly.

B. As used in this chapter:

"Census data" means the population data received from the United States Bureau of the Census pursuant to P.L. 94-171.

"Commission" means the Virginia Redistricting Commission established pursuant to this

chapter.

"Committee" means the Redistricting Commission Selection Committee established pursuant to §30-393.

"Partisan public office" means (i) an elective or appointive office in the executive or legislative branch or in an independent establishment of the federal government; (ii) an elective office in the executive or legislative branch of the government of the Commonwealth, or an office that is filled by appointment and is exempt from the Virginia Personnel Act (§ 2.2-2900 et seq.); or (iii) an office of a county, city, or other political subdivision of the Commonwealth that is filled by an election process involving nomination and election of candidates on a partisan basis.

"Political party office" means an elective office in the national or state organization of a political party, as defined in § 24.2-101.

§ 30-392. Membership; terms; vacancies; chairman; quorum; compensation and expenses.

A. The Virginia Redistricting Commission shall consist of 16 commissioners that include eight legislative commissioners and eight citizen commissioners as follows: two commissioners shall be members of the Senate of Virginia, representing the political party having the highest number of members in the Senate and appointed by the President pro tempore of the Senate; two commissioners shall be members of the Senate, representing the political party having the next highest number of members in the Senate and appointed by the leader of that political party; two commissioners shall be members of the House of Delegates, representing the political party having the highest number of members in the House of Delegates and appointed by the Speaker of the House of Delegates; two commissioners shall be members of the House of Delegates, representing the political party having the next highest number of members in the House of Delegates and appointed by the leader of that political party; and eight citizen commissioners who shall be selected by the Redistricting Commission Selection Committee pursuant to § 30-394.

B. Legislative commissioners selected to serve as commissioners of the Commission shall be appointed by the respective authorities no later than December 1 of the year ending in zero and shall continue to serve until their successors are appointed. In making its appointments, the appointing authorities shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointment, such that the proper partisan balance of the Commission is maintained.

C. Citizen commissioners selected to serve as commissioners of the Virginia Redistricting Commission shall be selected by the Redistricting Commission Selection Committee as provided in § 30-394. In making its selections, the Committee shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. Citizen commissioners shall be appointed no later than January 15 of the year ending in one and shall continue to serve until their successors are appointed. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled by the Commission selecting a replacement from the list submitted pursuant to subsection E of § 30-394 from which the commissioner being replaced was selected and shall require an affirmative vote of a majority of the commissioners, including at least one commissioner representing or affiliated with each

political party.

D. Legislative commissioners shall receive such compensation as provided in § 30-19.12, and citizen commissioners shall receive such compensation as provided in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. All such compensation and expense payments shall come from existing appropriations to the Commission.

E. By February 1 of the year ending in one, the Commission shall hold a public meeting at which it shall select a chairman from its membership. The chairman shall be a citizen commissioner and shall be responsible for coordinating the work of the Commission. A majority of the commissioners appointed, which majority shall include a majority of the legislative commissioners and a majority of the citizen commissioners, shall constitute a quorum.

F. All meetings and records of the Commission shall be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except as provided in subsection E of § 30-394. All records and documents of the Commission, or any individual or group performing delegated functions of or advising the Commission, related to the Commission's work, including internal communications and communications from outside parties, shall be considered public information.

G. Commissioners, staff of the Commission, and any other advisor or consultant to the Commission shall not communicate with any person outside the Commission about matters related to reapportionment or redistricting outside of a public meeting or hearing. Written public comments submitted to the Commission, staff of the Commission, or any other advisor or consultant to the Commission shall not be a violation of this subsection.

H. In the event the Commission hires a lawyer or law firm, the Commission as an entity shall be considered the client of the lawyer or the law firm. No individual commissioner or group of commissioners shall be considered to be the client of the lawyer or the law firm.

§ 30-393. Redistricting Commission Selection Committee; chairman; quorum; compensation and expenses.

A. There shall be a Redistricting Commission Selection Committee established for the purpose of selecting the citizen commissioners of the Virginia Redistricting Commission. This committee shall consist of five retired judges of the circuit courts of Virginia.

B. By November 15 of the year ending in zero, the Chief Justice of the Supreme Court of Virginia shall certify to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of Virginia a list of at least 10 retired judges of the circuit courts of Virginia who are willing to serve on the Committee, and no retired judge who is a parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law of, or a cohabitating member of a household with, a member of the Congress of the United States or of the General Assembly shall be included in such list. In compiling this list, the Chief Justice shall give consideration to the racial, ethnic, geographic,

and gender diversity of the Commonwealth. These members shall each select a judge from the list and shall promptly, but not later than November 20, communicate their selection to the Chief Justice, who shall immediately notify the four judges selected. In making their selections, the members shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. Within three days of being notified of their selection, the four judges shall select, by a majority vote, a judge from the list prescribed herein to serve as the fifth member of the Committee, who shall serve as the chairman of the Committee.

A majority of the Committee members, which majority shall include the chairman, shall constitute a quorum. The judges of the Committee shall serve until their successors are appointed. If a judge cannot, for any reason, complete his term, the remaining judges shall select a replacement from the list prescribed herein.

C. Members of the Committee shall receive compensation for their services and shall be allowed all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2- 2813 and 2.2-2825. The compensation and expenses of members and all other necessary expenses of the Committee shall be provided from existing appropriations to the Commission.

D. All meetings and records of the Committee shall be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except as provided in subsection E of § 30-394.

E. Notwithstanding the provisions of § 1-210 regarding the computation of time, if an act required by this section is to be performed on a Saturday, Sunday, or legal holiday, or any day or part of a day on which the government office where the act to be performed is closed, the act required shall be performed on the first business day immediately preceding the Saturday, Sunday, or legal holiday, or day on which the government office is closed.

§ 30-394. Citizen commissioners; application process; qualifications; selection.

A. Within three days following the selection of the fifth member of the Committee, the Committee shall adopt an application and process by which residents of the Commonwealth may apply to serve on the Commission as citizen commissioners. The Division of Legislative Services shall assist the Committee in the development of the application and process.

The application for service on the Commission shall require applicants to provide personal contact information and information regarding the applicant's race, ethnicity, gender, age, date of birth, education, and household income. The application shall require an applicant to disclose, for the period of three years immediately preceding the application period, the applicant's (i) voter registration status; (ii) preferred political party affiliation, if any, and any political party primary elections in which he has voted; (iii) history of any partisan public offices or political party offices held or sought; (iv) employment history, including any current or prior employment with the Congress of the United States or one of its members, the General Assembly or one of its members, any political party, or any campaign for a partisan public office, including a volunteer position; and (v) relevant leadership experience or involvements with professional, social, political, volunteer, and community organizations and causes.

The application shall require an applicant to disclose information regarding the partisan activities and employment history of the applicant's parent, spouse, child, sibling, parent-in-law,

child-in-law, or sibling-in-law, or any person with whom the applicant is a cohabitating member of a household, for the period of three years immediately preceding the application period.

The Committee may require applicants to submit three letters of recommendation from individuals or organizations.

The application process shall provide for both paper and electronic or online applications. The Committee shall cause to be advertised throughout the Commonwealth information about the Commission and how interested persons may apply.

B. To be eligible for service on the Commission, a person shall have been a resident of the Commonwealth and a registered voter in the Commonwealth for three years immediately preceding the application period. He shall have voted in at least two of the previous three general elections. No person shall be eligible for service on the Commission who:

1. Holds, has held, or has sought partisan public office or political party office;
2. Is employed by or has been employed by a member of the Congress of the United States or of the General Assembly or is employed directly by or has been employed directly by the United States Congress or by the General Assembly;
3. Is employed by or has been employed by any federal, state, or local campaign;
4. Is employed by or has been employed by any political party or is a member of a political party central committee;
5. Is a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 or a lobbyist's principal as defined in § 2.2-419 or has been such a lobbyist or lobbyist's principal in the previous five years; or
6. Is a parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law of a person described in subdivisions 1 through 5, or is a cohabitating member of a household with such a person.

C. The application period shall begin no later than December 1 of the year ending in zero and shall end four weeks after the beginning date. During this period, interested persons shall submit a completed application and any required documentation to the Division of Legislative Services. All applications shall be reviewed by the Division of Legislative Services to ensure an applicant's eligibility for service pursuant to subsection B, and any applicant who is ineligible for service shall be removed from the applicant pool.

The Division of Legislative Services shall make available the application for persons to use when submitting a paper application and shall provide electronic access for electronic submission of applications.

D. Within two days of the close of the application period, the Division of Legislative Services shall provide to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest number of members in the Senate of Virginia the applications and documentation submitted by those applicants who are eligible for service on the Commission pursuant to subsection B and submitted complete applications, including any required documentation.

E. By January 1 of the year ending in one, those persons receiving the applications pursuant to subsection D shall each submit to the Committee a list of at least 16 citizen candidates for

service on the Commission. In selecting citizen candidates, they shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth.

They shall notify the Division of Legislative Services of the citizen candidates submitted to the Committee for consideration, and the Division of Legislative Services shall promptly provide to the Committee the applications and documentation for each citizen candidate being considered. Only the applications and documentation for each citizen candidate shall be maintained as public records.

F. Within two weeks of receipt of the lists of citizen candidates and related materials pursuant to subsection E, the Committee shall select, by a majority vote in a public meeting, two citizen members from each list submitted. In making its selections, the Committee shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. The Committee shall promptly notify those eight citizens of their selection to serve as a citizen commissioner of the Commission.

No member of the Committee shall communicate with a member of the General Assembly or the United States Congress, or any person acting on behalf of a member of the General Assembly or the United States Congress, about any matter related to the selection of citizen commissioners after receipt of the lists submitted pursuant to subsection E.

G. Notwithstanding the provisions of § 1-210 regarding the computation of time, if an act required by this section is to be performed on a Saturday, Sunday, or legal holiday, or any day or part of a day on which the government office where the act to be performed is closed, the act required shall be performed on the first business day immediately preceding the Saturday, Sunday, or legal holiday, or day on which the government office is closed.

§ 30-395. Staff to Virginia Redistricting Commission; census liaison.

A. The Division of Legislative Services shall provide staff support to the Commission. Staff shall perform those duties assigned to it by the Commission. The Director of the Division of Legislative Services, or his designated representative, shall serve as the state liaison with the United States Bureau of the Census on matters relating to the tabulation of the population for reapportionment purposes pursuant to P.L. 94-171. The governing bodies, electoral boards, and registrars of every county and municipality shall cooperate with the Division of Legislative Services in the exchange of all statistical and other information pertinent to preparation for the census.

B. The Division of Legislative Services shall maintain the current election district and precinct boundaries of each county and city as a part of the Commission's computer-assisted mapping and redistricting system. Whenever a county or city governing body adopts an ordinance that changes an election district or precinct boundary, the local governing body shall provide a copy of its ordinance, along with Geographic Information System (GIS) maps and other evidence documenting the boundary, to the Division of Legislative Services.

C. The provisions of Article 2 (§ 24.2-302 et seq.) of Chapter 3 of Title 24.2, including the statistical reports referred to in that article, shall be controlling in any legal determination of a district boundary.

§ 30-396. Public participation in redistricting process.

A. All meetings and hearings held by the Commission shall be adequately advertised and planned to ensure the public is able to attend and participate fully. Meetings and hearings shall be advertised in multiple languages as practicable and appropriate.

B. Prior to proposing any plan for districts for the United States House of Representatives, the Senate, or the House of Delegates and prior to voting to submit such plans to the General Assembly, the Commission shall hold at least three public hearings in different parts of the Commonwealth in order to receive and consider comments from the public.

C. The Commission shall establish and maintain a website or other equivalent electronic platform. The website shall be available to the general public and shall be used to disseminate information about the Commission's activities. The website shall be capable of receiving comments and proposals by citizens of the Commonwealth. Prior to voting on any proposed plan, the Commission shall publish the proposed plans on the website.

D. All data used by the Commission in the drawing of districts shall be available to the public on its website. Such data, including census data, precinct maps, election results, and shapefiles, shall be posted within three days of receipt by the Commission."

Page 242, line 9, after "fifth" insert "and ninth" and strike "enactment" and insert "enactments".

Explanation:

(This amendment provides for the implementation of the constitutional amendment establishing the Virginia Redistricting Commission, effective November 15, 2020, contingent upon the passage of the amendment by voters on the Tuesday after the first Monday in November 2020.)

The reading of the amendments was waived.

On motion of Senator Howell, the uncontested committee amendments were agreed to.

Item 4-14 #2s was taken up.

Senator Howell moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--20. NAYS--19. RULE 36--1.

YEAS--Barker, Bell, Boysko, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--20.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

RULE 36--Deeds--1.

The amendment was agreed to.

Senator Hanger offered the following amendment:

- 1. Effective Date Item 4-14 #2s
- Language

Language:

Page 241, strike lines 1 through 20, and insert:

“7. Notwithstanding any other provision of law, every jurisdictional utility shall develop an Emergency Debt Repayment Plan (EDRP) for arrearages accrued during a state of emergency or service disconnection moratorium as defined herein by residential customers. Jurisdictional utilities may collaborate or partner with third-party organizations, institutions, or agencies for the purpose of successful compliance and implementation of its EDRP.

An EDRP shall be designed to ensure that debt accrued during the state of emergency or the service disconnection moratorium, in addition to the residential customer’s regular utility bill, are sustainable and affordable for the residential customer and shall allow for (i) an up to 12-month repayment period and (ii) a residential customer to roll over remaining debt with any debt accrued under a subsequent state of emergency. A jurisdictional utility shall not require any new deposit or application fee or any other new type of advance payment before enrolling a residential customer in an EDRP and shall not charge any interest, late fees, finance charges, or prepayment penalties on the unpaid debt while the residential customer is enrolled in an EDRP. A jurisdictional utility shall coordinate its EDRP with any other relevant financial assistance programs, energy assistance and weatherization programs, or percentage of income payment programs. Nothing shall preclude a jurisdictional utility from including additional arrearages accrued by the residential customer not related to the state of emergency in an EDRP upon mutual agreement between the jurisdictional utility and the residential customer. Prior to disconnecting for nonpayment any residential customer who has an overdue balance accrued during the state of emergency of service disconnection moratorium, a jurisdictional utility shall work in collaboration with the residential customer to seek and apply any available resources that either reduce or eliminate such accumulated balance or enroll the residential customer to repay the accumulated debt through other available repayment programs offered by the jurisdictional utility or in which the jurisdictional utility participates for its residential customers. If such repayment programs are not available to the residential customer or do not afford the residential customer sustainable repayment options for that residential customer, then the jurisdictional utility shall offer to enroll the residential customer into the EDRP. Every jurisdictional utility shall provide its residential customers, in the same manner the residential customer receives billing information, which may be by bill insert or bill notice, with information detailing its EDRP. The jurisdictional utility shall not disconnect service for nonpayment any residential customer enrolled in the plan provided that the residential customer remains in compliance with the terms of the EDRP and remains current on the residential customer’s current jurisdictional utility bill as that bill may be due and payable. If a residential customer fails to pay in full the amounts due under the EDRP, and the residential customer and the jurisdictional utility have not agreed to a modification of the terms of the EDRP, nothing under this act shall prevent a new payment plan or from disconnecting service.

The Commission shall allow for the timely recovery of bad debt obligations, reasonable late payment fees suspended, and prudently incurred implementation costs resulting from an EDRP for jurisdictional utilities, including through a rate adjustment clause or through base rates. The Commission may apply any applicable earnings test in the Commission rules governing utility rate applications and annual informational filings when assessing the recovery of such costs. Utilities shall prepare a report that contains the following anonymized information: (a) the number of accounts remaining in the EDRP; (b) the total amount of and average of debt for accounts remaining in the EDRP; (c) the number of accounts removed from the EDRP, categorized by reason; (d) the amount of and average of debt still remaining for accounts removed from the EDRP, and (e) the amount of recorded deferrals of expenses authorized by

that certain order of the Commission in Case Number PUR-2020-00074. Utilities under the Commission's jurisdiction shall provide the aggregated anonymized report containing such compiled information to the Commission no later than January 1, 2021, for the period of June 15, 2020, through December 15, 2020, and no later than January 1, 2022, for the period of December 16, 2020, through December 15, 2021. The Commission shall provide an aggregated anonymized report by utility type containing such compiled information to the chairs of the House Committees on Labor and Commerce and Appropriations and the Senate Committees on Commerce and Labor and Finance and Appropriations no later than January 15, 2021, for the period of June 15, 2020, through December 15, 2020, and no later than January 15, 2022, for the period of December 16, 2020, through December 15, 2021.

Every municipal utility shall provide, upon request, an aggregated anonymized report to the chairs of the House Committees on Labor and Commerce and Appropriations and the Senate Committees on Commerce and Labor and Finance and Appropriations that contains the following information: (1) the number of accounts participating in a repayment plan; (2) the total amount of and average of debt for accounts participating in a repayment plan; (3) the number of accounts removed from a repayment plan, categorized by reason; (4) the amount of and average of debt still remaining for accounts removed from a repayment plan; and (5) the carrying costs of the debt for accounts participating in a repayment plan and any associated administrative costs incurred. Such municipal utilities shall provide such report within 30 days of a request by the chairs of such committees.

No later than January 1, 2021, the Commission shall provide an aggregated anonymized report to the chairs of the House Committees on Labor and Commerce and Appropriations and the Senate Committees on Commerce and Labor and Finance and Appropriations containing the following information by utility type: (A) the outstanding aged accounts receivable balances as of May 31, 2020, resulting from the service disconnection moratorium; (B) associated collections from residential customers during each of the months of June, July, and August 2020; (C) associated additions to aged accounts receivable balances during each of the months of June, July, and August 2020; and (D) the resulting aged accounts receivable balances, net of collections and additions, as of June 30, July 31, and August 31, 2020.

Nothing in this act shall be construed to grant any additional jurisdiction or authority to the Commission over any utilities not otherwise conferred by law.

As used in this act:

"Commission" means the State Corporation Commission.

"Municipal utility" means a utility providing electric, gas, or water or wastewater service that is owned or operated by a city, county, town, authority, or other political subdivision of the Commonwealth.

"Service disconnection moratorium" means that certain order of the State Corporation Commission in Case Number PUR-2020-00048 issued on June 12, 2020, or any successor order.

"State of emergency" means the state of emergency declared by the Governor in Executive Order 51, as amended, or any successor state of emergency issued by the Governor pursuant to § 44-146.17 of the Code of Virginia in response to the COVID-19 pandemic.

"Subsequent state of emergency order" means a future state of emergency issued by the Governor pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia that is unrelated to the COVID-19 pandemic.

"Jurisdictional utility" means a utility providing electric, gas, or water or wastewater service that is subject to regulation by the Commission."

Explanation:

(This amendment codifies certain provisions of the State Corporation Commission (SCC) ruling in PUR-2020-0048 from June 12, 2020 imposing a residential utility service disconnection moratorium and requiring every jurisdictional utility providing residential electric, gas, water, or wastewater services to develop an Emergency Debt Repayment Plan (EDRP) for arrearages accrued during a state of emergency or service disconnection moratorium, and provides for certain reporting requirements.)

Senator Hanger withdrew the amendment.

Senator Norment offered the following amendment:

- 1. Effective Date Item 4-14 #2s
- Language

Language:

Page 241, strike lines 1 through 20, and insert:

“7. Notwithstanding any other provision of law, every jurisdictional utility shall develop an Emergency Debt Repayment Plan (EDRP) for arrearages accrued during a state of emergency or service disconnection moratorium as defined herein by residential customers. Jurisdictional utilities may collaborate or partner with third-party organizations, institutions, or agencies for the purpose of successful compliance and implementation of its EDRP.

An EDRP shall be designed to ensure that debt accrued during the state of emergency or the service disconnection moratorium, in addition to the residential customer’s regular utility bill, are sustainable and affordable for the residential customer and shall allow for (i) an up to 12-month repayment period and (ii) a residential customer to roll over remaining debt with any debt accrued under a subsequent state of emergency. A jurisdictional utility shall not require any new deposit or application fee or any other new type of advance payment before enrolling a residential customer in an EDRP and shall not charge any interest, late fees, finance charges, or prepayment penalties on the unpaid debt while the residential customer is enrolled in an EDRP. A jurisdictional utility shall coordinate its EDRP with any other relevant financial assistance programs, energy assistance and weatherization programs, or percentage of income payment programs. Nothing shall preclude a jurisdictional utility from including additional arrearages accrued by the residential customer not related to the state of emergency in an EDRP upon mutual agreement between the jurisdictional utility and the residential customer. Prior to disconnecting for nonpayment any residential customer who has an overdue balance accrued during the state of emergency of service disconnection moratorium, a jurisdictional utility shall work in collaboration with the residential customer to seek and apply any available resources that either reduce or eliminate such accumulated balance or enroll the residential customer to repay the accumulated debt through other available repayment programs offered by the jurisdictional utility or in which the jurisdictional utility participates for its residential customers. If such repayment programs are not available to the residential customer or do not afford the residential customer sustainable repayment options for that residential customer, then the jurisdictional utility shall offer to enroll the residential customer into the EDRP.

Every jurisdictional utility shall provide its residential customers, in the same manner the residential customer receives billing information, which may be by bill insert or bill notice, with information detailing its EDRP. The jurisdictional utility shall not disconnect service for nonpayment any residential customer enrolled in the plan provided that the residential customer remains in compliance with the terms of the EDRP and remains current on the residential customer’s current jurisdictional utility bill as that bill may be due and payable. If a residential customer fails to pay in full the amounts due under the EDRP, and the residential customer and the jurisdictional utility have not agreed to a modification of the terms of the EDRP, nothing under this act shall prevent a new payment plan or from disconnecting service.

The Commission shall allow for the timely recovery of bad debt obligations, reasonable late payment fees suspended, and prudently incurred implementation costs resulting from an EDRP for jurisdictional utilities, including through a rate adjustment clause or through base rates. The Commission may apply any applicable earnings test in the Commission rules governing utility rate applications and annual informational filings when assessing the recovery of such costs. Utilities shall prepare a report that contains the following anonymized information: (a) the number of accounts remaining in the EDRP; (b) the total amount of and average of debt for accounts remaining in the EDRP; (c) the number of accounts removed from the EDRP, categorized by reason; (d) the amount of and average of debt still remaining for accounts removed from the EDRP, and (e) the amount of recorded deferrals of expenses authorized by that certain order of the Commission in Case Number PUR-2020-00074. Utilities under the Commission’s jurisdiction shall provide the aggregated anonymized report containing such compiled

information to the Commission no later than January 1, 2021, for the period of June 15, 2020, through December 15, 2020, and no later than January 1, 2022, for the period of December 16, 2020, through December 15, 2021. The Commission shall provide an aggregated anonymized report by utility type containing such compiled information to the chairs of the House Committees on Labor and Commerce and Appropriations and the Senate Committees on Commerce and Labor and Finance and Appropriations no later than January 15, 2021, for the period of June 15, 2020, through December 15, 2020, and no later than January 15, 2022, for the period of December 16, 2020, through December 15, 2021.

Every municipal utility shall provide, upon request, an aggregated anonymized report to the chairs of the House Committees on Labor and Commerce and Appropriations and the Senate Committees on Commerce and Labor and Finance and Appropriations that contains the following information: (1) the number of accounts participating in a repayment plan; (2) the total amount of and average of debt for accounts participating in a repayment plan; (3) the number of accounts removed from a repayment plan, categorized by reason; (4) the amount of and average of debt still remaining for accounts removed from a repayment plan; and (5) the carrying costs of the debt for accounts participating in a repayment plan and any associated administrative costs incurred. Such municipal utilities shall provide such report within 30 days of a request by the chairs of such committees.

No later than January 1, 2021, the Commission shall provide an aggregated anonymized report to the chairs of the House Committees on Labor and Commerce and Appropriations and the Senate Committees on Commerce and Labor and Finance and Appropriations containing the following information by utility type: (A) the outstanding aged accounts receivable balances as of May 31, 2020, resulting from the service disconnection moratorium; (B) associated collections from residential customers during each of the months of June, July, and August 2020; (C) associated additions to aged accounts receivable balances during each of the months of June, July, and August 2020; and (D) the resulting aged accounts receivable balances, net of collections and additions, as of June 30, July 31, and August 31, 2020.

Nothing in this act shall be construed to grant any additional jurisdiction or authority to the Commission over any utilities not otherwise conferred by law.

As used in this act:

“Commission” means the State Corporation Commission.

“Municipal utility” means a utility providing electric, gas, or water or wastewater service that is owned or operated by a city, county, town, authority, or other political subdivision of the Commonwealth.

“Service disconnection moratorium” means that certain order of the State Corporation Commission in Case Number PUR-2020-00048 issued on June 12, 2020, or any successor order.

“State of emergency” means the state of emergency declared by the Governor in Executive Order 51, as amended, or any successor state of emergency issued by the Governor pursuant to § 44-146.17 of the Code of Virginia in response to the COVID-19 pandemic.

“Subsequent state of emergency order” means a future state of emergency issued by the Governor pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia that is unrelated to the COVID-19 pandemic.

“Jurisdictional utility” means a utility providing electric, gas, or water or wastewater service that is subject to regulation by the Commission.”

Explanation:

(This amendment codifies certain provisions of the State Corporation Commission (SCC) ruling in PUR-2020-0048 from June 12, 2020 imposing a residential utility service disconnection moratorium and requiring every jurisdictional utility providing residential electric, gas, water, or wastewater services to develop an Emergency Debt Repayment Plan (EDRP) for arrearages accrued during a state of emergency or service disconnection moratorium, and provides for certain reporting requirements.)

Senator Norment withdrew the amendment.

Senator Cosgrove offered the following amendment:

- 1. Effective Date Item 4-14 #4s
- Language

Language:

Page 242, after line 6, insert:

“9. Notwithstanding any other provision of law, the validity of any locally issued building or wetland disturbance permit that expires during the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, shall be extended by a period of twenty four months from the original expiration date.”

Page 242, line 7, strike “9.” and insert “10.”.

Page 242, line 7, strike “, and eighth” and insert “eighth, and ninth”.

Page 242, line 9, strike “10.” and insert “11.”.

Explanation:

(This amendment extends the validity of any locally issued building or wetlands disturbance permits that may expire during the pandemic for an additional two years similar to the provisions of SB 5106 that passed the Senate.)

On motion of Senator Cosgrove, the reading of the amendment was waived.

Senator Cosgrove moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--19. NAYS--21. RULE 36--0.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

RULE 36--0.

The amendment was rejected.

Senator Norment offered the following amendment:

- 2. Legislative Department Item 7 #1s
- Capitol Square Preservation Council Language

Language:

Page 204, set out Item 7.

Item 7, after line 9, insert:

“D. Notwithstanding § 30-194, Code of Virginia, the powers and duties of the Capitol Square Preservation Council shall also include the ability to review and approve all plans or proposals for

alterations, improvements, additions, or renovations to, or other disposition of, any monuments, statuary, artwork, or other historical artifacts contained within the Capitol Building, including within the old and new Senate chambers, the old and new halls of the House of Delegates, and the Rotunda.”

Explanation:

(This amendment provides that the Capitol Square Preservation Council shall have expanded authority with respect to the review and approval of certain changes to monuments and other artifacts contained within Capitol Square. It is the intent of the General Assembly that this item be set out upon enrolling.)

On motion of Senator Norment, the reading of the amendment was waived.

Senator Norment moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The amendment was rejected.

Senator Norment offered the following amendment:

- | | | |
|------------------------|--|-------------|
| 3. | | Item 52 #1s |
| Executive Offices | | |
| Office of the Governor | | Language |

Language:

Page 10, after line 28, insert:

“G. The Chief Diversity Officer shall, when sending any memorandum to a public institution of higher education recommending or mandating diversity of any description, submit copies of such memorandum to the Chairmen of the House Education Committee and the Senate Committee on Education and Health.

H. By January 1 of each year, the Chief Diversity Officer shall provide to the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee an itemized list of expenditures made by the Office of the Chief Diversity Officer.”

Explanation:

(This amendment mandates certain reporting requirements for the Commonwealth’s Chief Diversity Officer.)

On motion of Senator Norment, the reading of the amendment was waived.

Senator Norment moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--19. NAYS--21. RULE 36--0.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

RULE 36--0.

The amendment was rejected.

Senator Peake offered the following amendment:

- | | | |
|----|---|---------------------------------|
| 1. | Special Conditions and Restrictions on Expenditures
Goods and Services | Item 4-5.04 #1s

Language |
|----|---|---------------------------------|

Language:

Page 237, set out Item § 4-5.04.

Page 237, after line 21, insert:

“n. COVID-19 VACCINE: No department, agency, local government, or other entity receiving funding from the Commonwealth, including CARES Act funding, shall require or enforce administration of any COVID-19 vaccine to individuals (or parent or guardian of a child) who object thereto on the grounds that the administration of immunizing agents conflicts with his religious tenets or practices.”

Explanation:

(This amendment prohibits any vaccination for COVID-19 from being mandated on persons who object based on conflicts with religious tenets or practices.)

On motion of Senator Peake, the reading of the amendment was waived.

Senator Peake moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--20. NAYS--19. RULE 36--1.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Howell, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--20.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Petersen, Saslaw, Spruill, Surovell--19.

RULE 36--Morrissey--1.

The amendment was agreed to.

RECONSIDERATION

Senator Howell moved to reconsider the vote by which the amendment Item 4-5.04 #1s offered by Senator Peake to **S.B. 5015** (five thousand fifteen) was agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--40.

NAYS--0.

RULE 36--0.

Senator Peake moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--19. NAYS--20. RULE 36--1.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Petersen, Saslaw, Spruill, Surovell--20.

RULE 36--Morrissey--1.

The amendment was rejected.

Senator Stanley offered the following amendment:

1.				Item 477 #3s
Central Appropriations		FY20-21	FY21-22	
Central Appropriations		\$0	\$23,058,732	GF

Language:

Page 204, line 6, strike "\$213,830,664" and insert "\$236,889,396".

Page 204, set out Item 477.

Item 477, insert:

"CC. Included in the appropriation for this Item is \$23,058,732 in the second year from the general fund to provide a five percent salary increase for elected sheriffs, deputy sheriffs, regional jail superintendents, and regional jail officers, effective July 1, 2021, provided that the governing authority of such employees use such funds to support the provision of a salary increase."

Explanation:

(This amendment provides \$23.1 million GF in the second year for a five percent salary increase for elected sheriffs, deputies, regional jail superintendents, and regional jail officers, effective July 1, 2021. It is the intent of the General Assembly that this item be set out upon enrolling.)

On motion of Senator Stanley, the reading of the amendment was waived.

Senator Stanley moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:
YEAS--19. NAYS--21. RULE 36--0.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

RULE 36--0.

The amendment was rejected.

Senator Hanger offered the following amendment:

- | | |
|------------------------|-----------------|
| 2. | Item 479.10 #5s |
| Central Appropriations | |
| Central Appropriations | Language |

Language:

Page 204, after line 9, insert:

“E. It is the intent of the General Assembly that temporary financial assistance be provided to agency-directed personal care attendants in the Medicaid program. The Governor is authorized to allocate up to \$22,000,000 of federal Coronavirus Relief Funds, if determined to be permissible and feasible, to provide an increase in the hourly rate of up to 20 percent for up to three months or to make a one-time payment based on a similar methodology that provides financial assistance to agency-directed personal care attendants to ensure such workers can continue to serve elderly and disabled Medicaid recipients in their homes during the COVID-19 pandemic.”

Explanation:

(This amendment directs that temporary financial assistance be provided to agency-directed personal care attendants in the Medicaid program. The Governor is authorized to allocate up to \$22,000,000 of federal Coronavirus Relief Funds, if determined to be permissible and feasible, to provide an increase in the hourly rate of up to 20 percent for up to three months or to make a one-time payment based on a similar methodology that provides financial assistance to agency-directed personal care attendants to ensure such workers can continue to serve elderly and disabled Medicaid recipients in their homes during the COVID-19 pandemic.)

On motion of Senator Hanger, the reading of the amendment was waived.

Senator Hanger withdrew the amendment.

Senator Hanger offered the following amendment:

- 3. Item 479.10 #6s
 Central Appropriations
 Central Appropriations Language

Language:

Page 204, after line 9, insert:

“E. It is the intent of the General Assembly that temporary financial assistance be provided to reimburse Virginia hospitals for COVID-19 related costs. The Governor is authorized to allocate up to \$60,000,000 from the federal funding provided pursuant to the Coronavirus Relief Fund as authorized in the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), for the Department of Medical Assistance Services to make payments to Virginia hospitals for COVID-19 related auditable costs that have not been reimbursed through other federal relief programs available for this purpose in calendar year 2020. The Department shall have the authority to implement such payments in the most efficient and expeditious manner prior to the completion of any regulatory process to effect such changes.”

Explanation:

(This amendment directs the Governor to provide temporary financial assistance of up to \$60 million to Virginia hospitals from the federal Coronavirus Relief Funds, awarded to the Commonwealth, to be used to reimburse such hospitals for COVID-19 related costs.”

On motion of Senator Hanger, the reading of the amendment was waived.

Senator Hanger withdrew the amendment.

Senator Newman offered the following amendment:

- 1. Item 4-0.01 #2s
 Operating Policies
 Operating Policies Language

Language:

Page 237, line 2, strike “Not set out.” and insert:

Drawn to Chapter 1289

“§ 4-0.01 OPERATING POLICIES

- a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.
- b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.
- c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.
- d. Public higher education institutions are not subject to the provisions of § 2.2-4800, Code of Virginia, or the provisions of the Department of Accounts’ Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of outstanding accounts receivable.
- e. The provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia) shall not apply to grants made in support of the 2019 Commemoration to non-profit entities organized under § 501 (c)(3) of the Internal Revenue Code.

f. 1. The State Council of Higher Education for Virginia shall establish a policy for granting undergraduate course credit to entering freshman students who have taken one or more Advanced Placement, Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate examinations by August 1, 2017. The policy shall:

- a) Outline the conditions necessary for each public institution of higher education to grant course credit, including the minimum required scores on such examinations;
- b) Identify the course credit or other academic requirements of each public institution of higher education that the student satisfies by achieving the minimum required scores on such examinations; and
- c) Ensure, to the extent possible, that the grant of course credit is consistent across each public institution of higher education and each such examination.

2. The Council and each public institution of higher education shall make the policy available to the public on its website.

g. 1. Notwithstanding any other provision of law, any public body, including any state, local, regional, or regulatory body, or a governing board as defined in § 54.1-2345 of the Code of Virginia may meet by electronic communication means without a quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; (ii) the purpose of meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body or common interest community association as defined in § 54.1-2345 of the Code of Virginia and the discharge of its lawful purposes, duties, and responsibilities; (iii) a public body shall make available a recording or transcript of the meeting on its website in accordance with the timeframes established in §§ 2.2-3707 and 2.2-3707.1 of the Code of Virginia; and (iv) the governing board shall distribute minutes of a meeting held pursuant to this subdivision to common interest community association members by the same method used to provide notice of the meeting.

2. A public body or governing board convening a meeting in accordance with this subdivision shall:

- a) Give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body or governing board conducting the meeting;
- b) Make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable, videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment; and

3. Public bodies must otherwise comply with the provisions of § 2.2-3708.2 of the Code of Virginia. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the public body or governing board.

h. No rule, regulation, or order issued by the Governor pursuant to the provisions of § 44-146.17 shall have any effect beyond 90 days from the date of issuance. In the event of an ongoing disaster or emergency expected to last more than 90 days, the Governor shall convene a special session of the General Assembly to address the disaster or emergency.”

Explanation:

(This amendment limits the duration of a Governor’s emergency orders to 90 days. In the event of an ongoing disaster or emergency expected to last more than 90 days, this amendment would require the Governor to convene a special session of the General Assembly to address the disaster or emergency.)

On motion of Senator Newman, the amendment was passed by temporarily.

Senator Newman offered the following amendment:

2.
Health and Human Resources
Department of Health

Item 299 #2s

Language

Language:

Page 109, after line 3, insert:

“I. The Virginia Department of Health shall only use the Federal Title V Sexual Risk Avoidance Education (SRAE) Program for public health education initiatives that teaches youth sexual risk avoidance and the associated benefits of voluntarily refraining from sexual activity. The department shall ensure that any federal funding used for any service or contract that allows youth to submit questions regarding sexual health require that such information in response to only include information on the benefits of voluntarily refraining from sexual activity relevant to the specific questions asked. No other type of information shall be disseminated to youth without specific parental consent.

J. The Virginia Department of Health shall ensure that in any of its public health programing or contracts with vendors for such, that provide information to consumers, comply with any approved family life education curriculum standards approved by each local school board that is relevant to the information being distributed as to the content of such public information.

K. The Virginia Department of Health shall report annually, by October 1, on the data sources used to contact individuals living in Virginia related to the dissemination of public health information, which shall include the sources used for addresses used for mailing materials, telephones numbers for phone calls or text messages, and email addresses, either utilized by the department or its vendors. The department shall ensure that its own employees and vendors keep the personal contact information used in public health programs confidential and not use or share that information for any other purpose.”

Explanation:

(This amendment ensures that certain federal funding is used for its intended purpose and that the Virginia’s Department of Health disseminates public health-related information such that it is consistent with the standards adopted by local government, if they exist. In addition, it requires the agency and its vendors in providing such information to Virginia consumers to keep contact information confidential and not use it for any other purpose.)

On motion of Senator Newman, the amendment was passed by temporarily.

Senator Newman offered the following amendment:

3.
Central Appropriations
Central Appropriations

Item 479.10 #4s

Language

Language:

Page 204, after line 9, insert:

“E. 1. It is the intent of the General Assembly that \$300,000,000 from the federal Coronavirus Relief Funds be provided to localities to reimburse parents for educational expenditures and childcare costs incurred in response to the COVID-19 emergency disrupting in-person instruction for the 2020-21 school year. Such program shall provide parents a reimbursement payment for each child enrolled in the local public school division and engaged in instruction delivered by the local public school division either remotely or in a hybrid manner. These reimbursement payments may be up to \$500 per child based on the calculation in paragraph E.2. Such program may reimburse parents for (i) educational therapies or services for the qualified student from a practitioner or provider, including paraprofessionals or educational aides; (ii) computer hardware and software; (iii) childcare costs; (iv) tutoring services; and

(v) consumable educational supplies or any other education-related goods or services, such as Internet access, that are necessary for the provision of the qualified student's education. Localities establishing such a program shall not reduce any local funding apportioned to the local public school division from local revenues.

2. The Superintendent of Public Instruction shall collect applications from localities seeking to establish such a program for a period of two weeks upon enactment of this act. The Superintendent of Public Instruction shall calculate the per child reimbursement payment based on the total number of eligible students in the localities seeking these funds, and shall notify participating localities of the the per child reimbursement amount and the total amount of funds available to the locality no later than two weeks after the application deadline. The Superintendent of Public Instruction is authorized to establish any guidelines and collect any necessary information from localities to comply with any federal Coronavirus Relief Fund requirements. Localities shall disburse all eligible reimbursements by December 14, 2020. Any federal relief funds not disbursed to parents or allocated to localities for this purpose by December 14, 2020 shall be returned to the state treasury, and the Governor is hereby authorized to allocate and expend the remaining federal relief funds."

Explanation:

(This amendment provides \$300.0 million from the federal Coronavirus Relief Fund for localities to provide reimbursements to parents for educational and childcare costs incurred in response to the COVID-19 emergency disrupting in-person instruction. Reimbursements payments would be available for each child that is receiving instruction from the local public school division either remotely or in a hybrid manner. The reimbursement amount may be up to \$500 per child with the Department of Education calculating the final per child reimbursement amount based on the total number of eligible students in the localities applying for these funds. The Governor is authorized to allocate and expend any remaining federal funds for this purpose after December 14, 2020.)

On motion of Senator Newman, the reading of the amendment was waived.

Senator Newman moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--19. NAYS--21. RULE 36--0.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

RULE 36--0.

The amendment was rejected.

Amendment Item 4-0.01 #2s offered by Senator Newman was taken up.

Senator Newman withdrew amendment Item 4-0.01 #2s.

Senator Newman offered the following amendment:

- 4. Limit Duration of Executive Orders
Operating Policies
Operating Policies

Item 4-0.01 #3s

Language

Language:

Page 237, line 2, strike “Not set out.” and insert:
Drawn to Chapter 1289

“§ 4-0.01 OPERATING POLICIES

- a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.
- b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.
- c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.
- d. Public higher education institutions are not subject to the provisions of § 2.2-4800, Code of Virginia, or the provisions of the Department of Accounts’ Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of outstanding accounts receivable.
- e. The provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia) shall not apply to grants made in support of the 2019 Commemoration to non-profit entities organized under § 501 (c)(3) of the Internal Revenue Code.
- f. 1. The State Council of Higher Education for Virginia shall establish a policy for granting undergraduate course credit to entering freshman students who have taken one or more Advanced Placement, Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate examinations by August 1, 2017. The policy shall:
 - a) Outline the conditions necessary for each public institution of higher education to grant course credit, including the minimum required scores on such examinations;
 - b) Identify the course credit or other academic requirements of each public institution of higher education that the student satisfies by achieving the minimum required scores on such examinations; and
 - c) Ensure, to the extent possible, that the grant of course credit is consistent across each public institution of higher education and each such examination.
 2. The Council and each public institution of higher education shall make the policy available to the public on its website.
- g. 1. Notwithstanding any other provision of law, any public body, including any state, local, regional, or regulatory body, or a governing board as defined in § 54.1-2345 of the Code of Virginia may meet by electronic communication means without a quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; (ii) the purpose of meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body or common interest community association as defined in § 54.1-2345 of the Code of Virginia and the discharge of its lawful purposes, duties, and responsibilities; (iii) a public body shall make available a recording or transcript of the meeting on its website in accordance with the timeframes established in §§ 2.2-3707 and 2.2-3707.1 of the Code of Virginia; and (iv) the governing board shall distribute minutes of a meeting held pursuant to this subdivision to common interest community association members by the same method used to provide notice of the meeting.
 2. A public body or governing board convening a meeting in accordance with this subdivision shall:

a) Give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body or governing board conducting the meeting;

b) Make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable, videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment; and

3. Public bodies must otherwise comply with the provisions of § 2.2-3708.2 of the Code of Virginia. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the public body or governing board.

h. In the event of an ongoing disaster or emergency expected to last more than 90 days, the Governor shall convene a special session of the General Assembly to address the disaster or emergency.”

Explanation:

(This amendment limits the duration of a Governor’s emergency orders to 90 days. In the event of an ongoing disaster or emergency expected to last more than 90 days, this amendment would require the Governor to convene a special session of the General Assembly to address the disaster or emergency.)

On motion of Senator Newman, the reading of the amendment was waived.

Senator Newman moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--19. NAYS--20. RULE 36--1.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Saslaw, Spruill, Surovell--20.

RULE 36--Petersen--1.

The amendment was rejected.

Amendment Item 299 #2s offered by Senator Newman was taken up.

On motion of Senator Newman, the reading of the amendment was waived.

Senator Newman moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:
YEAS--19. NAYS--21. RULE 36--0.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

RULE 36--0.

The amendment was rejected.

Senator Dunnavant offered the following amendment:

- | | | |
|----|---|---------------|
| 1. | | Item 313 #16s |
| | Health and Human Resources | |
| | Department of Medical Assistance Services | Language |

Language:

Page 145, after line 26, insert:

“MMMMM. The Department of Medical Assistance Services shall modify the billing increments for providers of personal and respite care services to 15 minute increments, effective January 1, 2021.”

Explanation:

(This amendment modifies Medicaid policy for personal care and respite services to allow providers to bill 15-minute increments. Most state Medicaid programs allow personal care and respite services to be billed in 15-minute increments. This is change in policy is more consistent with the real time collection of service delivery times capture under an Electronic Visit Verification system which is required federally required.)

On motion of Senator Dunnavant, the reading of the amendment was waived.

Senator Dunnavant moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:
YEAS--20. NAYS--20. RULE 36--0.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougale, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--20.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Petersen, Saslaw, Spruill, Surovell--20.

RULE 36--0.

There being an equal division, the President cast his vote in accordance with Article V, Section 14, of the Constitution.

The President voted nay.

The final vote is as follows:
YEAS--20. NAYS-21. RULE 36--0.

The amendment was rejected.

Senator Dunnavant offered the following amendment:

- | | | |
|----|---|---------------|
| 2. | | Item 313 #17s |
| | Health and Human Resources | |
| | Department of Medical Assistance Services | Language |

Language:

Page 145, after line 26, insert:
“MMMMM. The Department of Medical Assistance Services shall allow Medicaid agency-directed personal care and respite services be allowed to conduct telephonic supervisory visits by a licensed nurse. The department’s forms shall be used to document the interaction during these phone calls and shall meet the standards already established by the department to include verbal consent, authorization, and confirmation of participation.”

Explanation:

(This amendment directs the Department of Medical Assistance Services to allow Medicaid agency-directed personal care and respite services be allowed to conduct telephonic supervisory visits by a licensed nurse and that the department’s forms be used to document the interaction during these phone calls and to meet the standards already established by the department to include verbal consent, authorization, and confirmation of participation.)

On motion of Senator Dunnavant, the reading of the amendment was waived.

Senator Dunnavant moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The amendment was rejected.

Senator McDougle offered the following amendment:

- | | | | | |
|----|-------------------------------------|----------------|----------------|--------------|
| 1. | | | | Item 114 #1s |
| | Commerce and Trade | FY20-21 | FY21-22 | |
| | Department of Housing and Community | \$50,000,000 | \$0 | GF |
| | Development | | | |

Language:

Page 25, line 48, strike “\$130,532,362” and insert “\$180,532,362”.
Page 28, line 4, strike \$49,725,000, and insert “\$99,725,000”.
Page 28, after line 32, insert:
“5. Of the amounts provided in this paragraph, \$50,000,000 the first year from the general fund is provided for the Virginia Telecommunication Initiative. In awarding these funds, the Department shall give priority consideration to rural and urban areas with unserved populations.”

Explanation:

(This amendment provides an additional \$50.0 million GF the first year for the Virginia Telecommunication Initiative with priority given to rural and urban areas with unserved populations.)

On motion of Senator McDougle, the reading of the amendment was waived.

Senator McDougle moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--19. NAYS--20. RULE 36--1.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--20.

RULE 36--McClellan--1.

The amendment was rejected.

RECONSIDERATION

Senator Morrissey moved to reconsider the vote by which the amendment Item 313 #17s offered by Senator Dunnivant to **S.B. 5015** (five thousand fifteen) was rejected.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--40.

NAYS--0.

RULE 36--0.

Senator Dunnivant moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--20. NAYS--20. RULE 36--0.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--20.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Petersen, Saslaw, Spruill, Surovell--20.

RULE 36--0.

There being an equal division, the President cast his vote in accordance with Article V, Section 14, of the Constitution.

The President voted yea.

The final vote is as follows:
YEAS--21. NAYS--20. RULE 36--0.

The amendment was agreed to.

HOUSE BILLS ON THIRD READING RECONSIDERATION

Senator Locke moved to reconsider the vote by which the following House bills were passed en bloc with their titles:

H.B. 5045 (five thousand forty-five) with substitute.

H.B. 5109 (five thousand one hundred nine) with substitute.

The motion was agreed to.

The recorded vote is as follows:
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--40.

NAYS--0.

RULE 36--0.

H.B. 5045, on motion of Senator Locke, was passed by for the day.

H.B. 5109, on motion of Senator Locke, was passed by for the day.

RECESS

At 6:55 p.m., Senator Saslaw moved that the Senate recess until 7:25 p.m.

The motion was agreed to.

The hour of 7:25 p.m. having arrived, the Chair was resumed.

HOUSE BILLS ON THIRD READING

H.B. 5115 (five thousand one hundred fifteen) was taken up, the committee amendment having been agreed to and ordered to be engrossed on September 25, 2020.

H.B. 5115, on motion of Senator McPike, was passed with its title.

The recorded vote is as follows:

YEAS--34. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McPike, Morrissey, Newman, Norment, Peake, Petersen, Pillion, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell, Vogel--34.

NAYS--Chase, McDougale, Obenshain, Reeves, Stanley--5.

RULE 36--0.

STATEMENT ON VOTE

Senator McClellan stated that she was recorded as not voting on the question of the passage of **H.B. 5115**, whereas she intended to vote yea.

H.B. 5047 (five thousand forty-seven) was taken up, the committee amendment having been agreed to on September 25, 2020.

The amendment was ordered to be engrossed.

H.B. 5047, on motion of Senator Saslaw, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McPike, Morrissey, Norment, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougale, Newman, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--18.

RULE 36--0.

STATEMENT ON VOTE

Senator McClellan stated that she was recorded as not voting on the question of the passage of **H.B. 5047**, whereas she intended to vote yea.

H.B. 5064 (five thousand sixty-four) was taken up, the committee substitute having been agreed to and ordered to be engrossed on September 25, 2020.

H.B. 5064, on motion of Senator Ebbin, was passed with its title.

The recorded vote is as follows:

YEAS--23. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell, Vogel--23.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Hanger, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein--16.

RULE 36--0.

STATEMENT ON VOTE

Senator McClellan stated that she was recorded as not voting on the question of the passage of **H.B. 5064**, whereas she intended to vote yea.

H.B. 5029 (five thousand twenty-nine) was taken up and, on motion of Senator Edwards, was passed by for the day.

H.B. 5043 (five thousand forty-three) was taken up and read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 16, consisting of a section numbered 9.1-193, and by adding a section numbered 37.2-311.1, relating to response to mental health crises; establishment of the mental health awareness response and community understanding services (Marcus) alert system.

The reading of the substitute was waived.

On motion of Senator McPike, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5043, on motion of Senator McPike, was passed with its title.

The recorded vote is as follows:

YEAS--24. NAYS--15. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McPike, Morrissey, Petersen, Saslaw, Spruill, Suetterlein, Surovell, Vogel--24.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Hanger, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart--15.

RULE 36--0.

STATEMENT ON VOTE

Senator McClellan stated that she was recorded as not voting on the question of the passage of **H.B. 5043**, whereas she intended to vote yea.

H.B. 5049 (five thousand forty-nine) was taken up and, on motion of Senator Edwards, was passed by for the day.

H.B. 5051 (five thousand fifty-one) was taken up and, on motion of Senator Edwards, was passed by for the day.

H.B. 5055 (five thousand fifty-five) was taken up and read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight body.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5055, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--20. NAYS--19. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--20.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

RULE 36--0.

STATEMENT ON VOTE

Senator McClellan stated that she was recorded as not voting on the question of the passage of **H.B. 5055**, whereas she intended to vote yea.

H.B. 5058 (five thousand fifty-eight) was taken up and read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, as it is currently effective and as it shall become effective, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic offenses.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5058, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--20. NAYS--19. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--20.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

RULE 36--0.

STATEMENT ON VOTE

Senator McClellan stated that she was recorded as not voting on the question of the passage of **H.B. 5058**, whereas she intended to vote yea.

H.B. 5062 (five thousand sixty-two) was taken up and read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 19.2-265.3 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-298.02, relating to court authority in criminal cases; prosecutorial discretion to dispose of a criminal case.

The reading of the substitute was waived.

Senator Surovell moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance and Appropriations was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 19.2-265.6 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-298.02, relating to court authority in criminal cases; prosecutorial discretion to dispose of a criminal case.

The reading of the substitute was waived.

Senator Surovell moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Surovell offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 16.1-69.48:1, 17.1-275.1, 17.1-275.2, 17.1-275.7, 19.2-265.6, 19.2-303.4, 19.2-335, and 19.2-336 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-298.02, relating to court authority in criminal cases; prosecutorial discretion to dispose of a criminal case.

On motion of Senator Surovell, the reading of the substitute was waived.

On motion of Senator Surovell, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5062, on motion of Senator Surovell, was passed with its title.

The recorded vote is as follows:

YEAS--31. NAYS--9. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Peake, Petersen, Pillion, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--31.

NAYS--Chase, DeSteph, Kiggans, McDougle, Newman, Obenshain, Reeves, Ruff, Vogel--9.

RULE 36--0.

H.B. 5068 (five thousand sixty-eight) was taken up and read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 8.01-512.4 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 34 a section numbered 34-28.3, relating to state of emergency; emergency relief payments exempt; emergency.

The reading of the substitute was waived.

Senator Petersen moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Petersen offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 8.01-512.4 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 34 a section numbered 34-28.3, relating to emergency relief payments exempt from creditor process; emergency.

On motion of Senator Petersen, the reading of the substitute was waived.

On motion of Senator Petersen, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5068, on motion of Senator Petersen, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--4. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

NAYS--Chafin, Chase, DeSteph, Pillion--4.

RULE 36--0.

H.B. 5069 (five thousand sixty-nine) was taken up and, on motion of Senator Edwards, was passed by for the day.

H.B. 5072 (five thousand seventy-two) was taken up and read by title the third time.

The following amendment, proposed by the Committee on the Judiciary, was offered:

1. Line 27, engrossed, after *conciliation*.

insert

The Attorney General may include, as part of a conciliation agreement, a provision that the locality shall be ineligible for funding under Article 8 (§ 9.1-165 et seq.) of Chapter 1 of Title 9.1 upon a finding by any court of the Commonwealth that such locality is failing to comply with the conciliation agreement. Upon such a finding, the court shall declare the locality ineligible for funding until the locality comes into compliance with the conciliation agreement.

The reading of the amendment was waived.

On motion of Senator Edwards, the amendment was agreed to.

The amendment was ordered to be engrossed.

H.B. 5072, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--19. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

RULE 36--0.

H.B. 5098 (five thousand ninety-eight) was taken up, read by title the third time and, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--24. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Petersen, Saslaw, Spruill, Surovell, Vogel--24.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Kiggans, McDougle, Newman, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein--16.

RULE 36--0.

H.B. 5099 (five thousand ninety-nine) was taken up and, on motion of Senator Edwards, was passed by for the day.

H.B. 5104 (five thousand one hundred four) was taken up and, on motion of Senator Edwards, was passed by for the day.

H.B. 5108 (five thousand one hundred eight) was taken up and, on motion of Senator Edwards, was passed by for the day.

H.B. 5146 (five thousand one hundred forty-six) was taken up and read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 2 of Title 17.1 a section numbered 17.1-205.1, relating to expungement of police and court records; Expungement Fee Fund created.

The reading of the substitute was waived.

On motion of Senator Deeds, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5146, on motion of Senator Deeds, was passed with its title.

The recorded vote is as follows:

YEAS--24. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Suetterlein, Surovell--24.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Hanger, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--16.

RULE 36--0.

H.B. 5148 (five thousand one hundred forty-eight) was taken up and read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Rehabilitation and Social Services was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 53.1-40.01 and 53.1-202.3 of the Code of Virginia, relating to release of prisoners.

The reading of the substitute was waived.

On motion of Senator Boysko, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5148, on motion of Senator Boysko, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--19. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--19.

RULE 36--0.

HOUSE JOINT RESOLUTION ON THIRD READING

H.J.R. 5010 (five thousand ten) was taken up and, on motion of Senator Locke, was agreed to.

The recorded vote is as follows:

YEAS--21. NAYS--18. RULE 36--1.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--18.

RULE 36--McDougle--1.

MEMORIAL RESOLUTIONS

On motion of Senator Saslaw, the questions on agreeing to the Senate resolutions that follow were considered en bloc.

On motion of Senator Saslaw, the following Senate resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

S.R. 545 (five hundred forty-five).

S.R. 546 (five hundred forty-six).

S.R. 551 (five hundred fifty-one).

S.R. 553 (five hundred fifty-three).

S.R. 554 (five hundred fifty-four).

S.R. 557 (five hundred fifty-seven).

S.R. 555 (five hundred fifty-five), on motion of Senator Suetterlein, was passed by for the day.

S.R. 556 (five hundred fifty-six), on motion of Senator Suetterlein, was ordered to be engrossed and was agreed to by a unanimous standing vote.

COMMENDING RESOLUTION

S.R. 548 (five hundred forty-eight), on motion of Senator McClellan, was ordered to be engrossed and was agreed to.

HONORARY ADJOURNMENT

Senator Kiggans addressed the Senate in honor of the International Day of Older Persons.

Senator Kiggans requested that when the Senate adjourns today, it adjourn in honor of the International Day of Older Persons.

On motion of Senator Lucas, the Senate, in honor of the International Day of Older Persons, adjourned until tomorrow at 11:00 a.m.

A handwritten signature in black ink, appearing to read "J. E. Fairfax". The signature is fluid and cursive, with the first and last letters of each name being capitalized and prominent.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with the first and last letters of each name being capitalized and prominent.

Susan Clarke Schaar
Clerk of the Senate

FRIDAY, OCTOBER 2, 2020

The Senate met at 11:00 a.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable William M. Stanley, Jr., Twentieth Senatorial District, offered the following prayer:

Let us now pray and rejoice in the glory of the day that the Lord has made for us. Father God, thank You for this opportunity to be with all of our brothers and sisters here in the Virginia state Senate. And although we may disagree on various issues, we, by Your guidance, are never disagreeable with each other as we debate the important matters that face our Commonwealth during these troubling times in our nation.

Lord, fill us, each and every one of us with Your Holy Spirit. Fill our hearts with Your word and Your love so that we may do Your will in every action that we take. Remind us all at every moment as we move forward in the grace of life that You have given us, that all is possible through Your love, Your hope for humanity, and Your promise of salvation and eternal life. We stand before You today, humbled by Your power and grace. For we are all sinners, but redeemed by that promise that we shall all meet again in Your kingdom, once we have fulfilled Your destiny for that gift of life You have given us. Heal us, forgive us for our transgressions, and forgive those who have trespassed against us. Lead us not into temptation, but deliver us from evil.

We pray today for all who are in this room. We pray for our friends and neighbors, we pray for the citizens that we serve here in this chamber, we especially pray for those, and for the love and comfort that You give for those that suffer from the travails of life's challenges, the poor, and the downtrodden. We pray for those who suffer from this horrible disease that has swept over us and we pray for their families who suffer alongside of them. We pray for our President and the First Lady as they now deal with this disease. May it remind us all that we are all human, made in Your form, and that despite our position in life, our economic situation, our political affiliations, our individual beliefs, or the color of our skin, that we are still all Your children, made in Your image, subject to Your will, and bathed in Your grace.

Father God, guide us, lead us, and help us to make this good Earth that You have made a better place for all of humanity. Help us to replace hate with Your love. Let us love each other as You intend it to be. Empower us with responsibility of leadership to make all things within our power to be better and in the glory of Your name. While we are far from perfect, Father God, we seek at every turn both in our words, our deeds, and our love of You, eternal salvation through Your Son who died so that we may yet live. I ask all of these things in the name of the Father, the Son, and the Holy Spirit. In our Lord and Savior Jesus Christ we now pray this prayer of thanks to be heard by You, and in Your name allow us now to all say together in one strong and unified voice, Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Jonathan Palmore, Senior Assistant Clerk–Technology, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel.

A quorum was present.

After the roll call, Senators Chafin and Reeves notified the Clerk of their presence.

On motion of Senator Ruff, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--34. NAYS--4. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--34.

NAYS--Deeds, DeSteph, McDougale, Petersen--4.

RULE 36--0.

CALENDAR

UNFINISHED BUSINESS—SENATE

S.B. 5029 (five thousand twenty-nine) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, as it is currently effective and as it shall become effective, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic offenses.

On motion of Senator Lucas, the substitute was agreed to.

The recorded vote is as follows:

YEAS--21. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Ruff, Stanley, Stuart, Suetterlein, Vogel--17.

RULE 36--0.

S.B. 5033 (five thousand thirty-three) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 19.2-265.6 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-298.02, relating to court authority in criminal cases; prosecutorial discretion to dispose of a criminal case.

On motion of Senator Surovell, the substitute was agreed to.

The recorded vote is as follows:

YEAS--31. NAYS--7. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--31.

NAYS--Chase, DeSteph, Hanger, McDougale, Newman, Obenshain, Vogel--7.

RULE 36--0.

S.B. 5035 (five thousand thirty-five) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight body.

Senator Hashmi moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--1. NAYS--37. RULE 36--0.

YEAS--Edwards--1.

NAYS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--37.

RULE 36--0.

S.B. 5039 (five thousand thirty-nine) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 2.2-4343 and 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of Governor; purchase of personal protective equipment during a disaster caused by a communicable disease of public health threat.

On motion of Senator Marsden, the substitute was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--0.

RULE 36--0.

S.B. 5042 (five thousand forty-two) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 215, engrossed, after *that*
 strike
 prevent
 insert
 prevents

2. Line 258, engrossed, after *in the*
strike
the remainder of line 258 and through *nursing* on line 259
insert
hospice

3. Line 259, engrossed, after *facility*
strike
, [the comma]

On motion of Senator Kiggans, the amendments were agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--0.

RULE 36--0.

S.B. 5080 (five thousand eighty) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 295, engrossed, after services
insert
, [a comma]
2. Line 391, engrossed, after 38.2-5500 et seq.),
strike
and
3. Line 391, engrossed, after 38.2-5800 et seq.)
insert
, and Chapter 65 (§ 38.2-6500 et seq.)
4. Line 446, engrossed, after 38.2-5500 et seq.),
strike
and
5. Line 446, engrossed, after 38.2-5800 et seq.)
insert
, and Chapter 65 (§ 38.2-6500 et seq.)

On motion of Senator Barker, the amendments were agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--0.

RULE 36--0.

S.B. 5081 (five thousand eighty-one) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 15, engrossed, after *to*
insert
subsection B of

Senator Barker moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

The recorded vote is as follows:

YEAS--0. NAYS--38. RULE 36--0.

YEAS--0.

NAYS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

RULE 36--0.

S.B. 5083 (five thousand eighty-three) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 11, engrossed, after *board*
insert
, as that term is defined in § 22.1-1 of the Code of Virginia,

On motion of Senator McClellan, the amendment was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--0.

RULE 36--0.

S.B. 5088 (five thousand eighty-eight) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

Senator Ebbin moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--0. NAYS--38. RULE 36--0.

YEAS--0.

NAYS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

RULE 36--0.

S.B. 5090 (five thousand ninety) was taken up with the amendment in the nature of a substitute with amendment proposed by the House of Delegates, the title of the substitute, printed separately, and amendment being as follows:

A BILL to direct the Commissioner of Health to make certain COVID-19-related data available to the public.

1. Line 15, substitute, after *facility*
insert

, provided that the release of such information does not violate the provisions of § 32.1-41 of the Code of Virginia.

On motion of Senator Dunnavant, the substitute with amendment was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--0.

RULE 36--0.

S.B. 5117 (five thousand one hundred seventeen) was taken up with the amendment proposed by the House of Delegates as follows:

1. After line 82, engrossed
insert

2. That the provisions of this act shall expire on June 30, 2023.

On motion of Senator Deeds, the amendment was agreed to.

The recorded vote is as follows:

YEAS--22. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Ruff, Saslaw, Spruill, Stuart, Surovell--22.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Petersen, Stanley, Suetterlein, Vogel--16.

RULE 36--0.

STATEMENT ON VOTE

Senator Ruff stated that he voted yea on the question of agreeing to the amendment proposed by the House of Delegates to **S.B. 5117**, whereas he intended to vote nay.

HOUSE BILLS ON THIRD READING

H.B. 5045 (five thousand forty-five) was taken up, the committee substitute having been agreed to and ordered to be engrossed on October 1, 2020.

H.B. 5045, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--0.

RULE 36--0.

H.B. 5109 (five thousand one hundred nine) was taken up, the committee substitute having been agreed to and ordered to be engrossed on October 1, 2020.

RECONSIDERATION

Senator Locke moved to reconsider the vote by which the committee substitute to **H.B. 5109** (five thousand one hundred nine) was agreed to and ordered to be engrossed.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--0.

RULE 36--0.

Senator Locke moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Locke offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-102 and 15.2-1705 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 9.1-112.1, relating to the Department of Criminal Justice Services; law-enforcement officer training and qualifications.

On motion of Senator Locke, the reading of the substitute was waived.

On motion of Senator Locke, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5109, on motion of Senator Locke, was passed with its title.

The recorded vote is as follows:

YEAS--24. NAYS--14. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell, Vogel--24.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Hanger, McDougle, Newman, Norment, Obenshain, Peake, Ruff, Stanley, Stuart, Suetterlein--14.

RULE 36--0.

H.B. 5029 (five thousand twenty-nine) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3 and 19.2-83.4, relating to law-enforcement officer; failure to intervene in use of excessive force; penalties.

The reading of the substitute was waived.

Senator Locke moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Locke offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3, 19.2-83.4, and 19.2-83.5, relating to law-enforcement officer; failure to intervene in use of excessive force; penalties.

On motion of Senator Locke, the reading of the substitute was waived.

On motion of Senator Locke, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5029, on motion of Senator Locke, was passed with its title.

The recorded vote is as follows:

YEAS--20. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Spruill, Surovell--20.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Ruff, Stanley, Stuart, Suetterlein, Vogel--17.

RULE 36--0.

RECONSIDERATION

Senator Howell moved to reconsider the vote by which **H.B. 5029** (five thousand twenty-nine) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--0.

RULE 36--0.

H.B. 5029, on motion of Senator Locke, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Ruff, Stanley, Stuart, Suetterlein, Vogel--17.

RULE 36--0.

H.B. 5049 (five thousand forty-nine) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-101, 15.2-1123.1, and 52-11.3 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, and by adding a section numbered 15.2-1721.1, relating to acquisition and use of military property by law-enforcement agencies.

The reading of the substitute was waived.

Senator Locke moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Locke offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-101, 9.1-102, 15.2-1123.1, and 18.2-312 of the Code of Virginia; to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, and by adding sections numbered 15.2-1721.1 and 15.2-1722.2; and to repeal § 52-11.3 of the Code of Virginia, relating to acquisition and use of military property by law-enforcement agencies.

On motion of Senator Locke, the reading of the substitute was waived.

Senator Locke moved that the substitute be agreed to.

H.B. 5049, on motion of Senator Petersen, was passed by temporarily.

H.B. 5051 (five thousand fifty-one) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-102, and 15.2-1707 of the Code of Virginia, relating to decertification of law-enforcement officer.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5051, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--31. NAYS--7. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Norment, Petersen, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--31.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Newman, Obenshain, Peake--7.

RULE 36--0.

H.B. 5069 (five thousand sixty-nine) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3, 19.2-83.4, and 19.2-83.5, relating to law-enforcement officers; prohibition on the use of neck restraints.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5069, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--20. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Spruill, Surovell--20.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Ruff, Saslaw, Stanley, Stuart, Suetterlein, Vogel--18.

RULE 36--0.

H.B. 5099 (five thousand ninety-nine) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 19.2-56 of the Code of Virginia, relating to search warrants; provide notice of authority.

The reading of the substitute was waived.

Senator Locke moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Locke offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 19.2-56 of the Code of Virginia, relating to search warrants; provide notice of authority.

On motion of Senator Locke, the reading of the substitute was waived.

Senator Locke moved that the substitute be agreed to.

H.B. 5099, on motion of Senator Petersen, was passed by temporarily.

RECESS

At 12:45 p.m., Senator Saslaw moved that the Senate recess until 1:40 p.m.

The motion was agreed to.

The hour of 1:40 p.m. having arrived, the Chair was resumed.

HOUSE BILLS ON THIRD READING

H.B. 5104 (five thousand one hundred four) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 15.2-1705 and 15.2-1709 of the Code of Virginia, relating to minimum qualifications for law-enforcement officer, etc.; disclosure of information.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Locke offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 15.2-1705 and 15.2-1709 of the Code of Virginia, relating to minimum qualifications for law-enforcement officer, etc.; disclosure of information.

Senator Locke withdrew the substitute.

H.B. 5104, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--9. RULE 36--1.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Petersen, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--29.

NAYS--Chafin, Chase, DeSteph, Howell, Newman, Norment, Obenshain, Peake, Ruff--9.

RULE 36--Reeves--1.

H.B. 5108 (five thousand one hundred eight) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on the Judiciary was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-108 and 9.1-112 of the Code of Virginia, relating to the Criminal Justice Services Board; Committee on Training; membership and responsibilities.

The reading of the substitute was waived.

Senator Locke moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Locke offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-108 and 9.1-112 of the Code of Virginia, relating to the Criminal Justice Services Board; Committee on Training; membership and responsibilities.

On motion of Senator Locke, the reading of the substitute was waived.

On motion of Senator Locke, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5108, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--18.

RULE 36--0.

H.B. 5049 (five thousand forty-nine) was taken up.

Senator Locke withdrew the substitute.

RECONSIDERATION

Senator Edwards moved to reconsider the vote by which the committee substitute to **H.B. 5049** (five thousand forty-nine) was rejected.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--39.

NAYS--0.

RULE 36--0.

On motion of Senator Edwards, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 5049, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--18.

RULE 36--0.

H.B. 5099 (five thousand ninety-nine) was taken up.

Senator Locke withdrew the substitute.

RECONSIDERATION

Senator Edwards moved to reconsider the vote by which the committee substitute to **H.B. 5099** (five thousand ninety-nine) was rejected.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--39.

NAYS--0.

RULE 36--0.

On motion of Senator Edwards, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Edwards moved that **H.B. 5099** be passed with its title.

PARLIAMENTARY INQUIRIES

Senator Morrissey propounded a parliamentary inquiry as to whether **H.B. 5099** could be amended on third reading.

The Chair stated that **H.B. 5099** could be amended on third reading. The Chair stated further that the motion before the Senate was to pass **H.B. 5099**, and that motion would have to be withdrawn in order to consider an amendment.

Senator Morrissey propounded a further parliamentary inquiry as to whether **H.B. 5099** would go to conference if it passed the Senate.

The Chair stated that if **H.B. 5099** passed the Senate with a substitute and the House rejected the Senate substitute, then **H.B. 5099** would go to conference. The Chair stated further that if the House agreed to the Senate substitute to **H.B. 5099**, then **H.B. 5099** would not go to conference.

Senator Petersen moved the pending question.

The recorded vote is as follows:

YEAS--19. NAYS--19. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, Edwards, Favola, Hanger, Hashmi, Lewis, Locke, Lucas, Marsden, Morrissey, Peake, Petersen, Saslaw, Spruill--19.

NAYS--Chafin, DeSteph, Dunnivant, Ebbin, Howell, Kiggans, Mason, McDougale, McPike, Newman, Norment, Obenshain, Reeves, Ruff, Stanley, Stuart, Suetterlein, Surovell, Vogel--19.

RULE 36--0.

There being an equal division, the President cast his vote in accordance with Article V, Section 14, of the Constitution.

The President voted yea.

The final vote is as follows:

YEAS--20. NAYS--19. RULE 36--0.

The pending question was ordered.

The question was put on passing **H.B. 5099** with its title.

H.B. 5099 was passed with its title.

The recorded vote is as follows:

YEAS--22. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Suetterlein, Surovell--22.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Vogel--17.

RULE 36--0.

RECONSIDERATION

Senator Surovell moved to reconsider the vote by which **H.B. 5069** (five thousand sixty-nine) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--39.

NAYS--0.

RULE 36--0.

H.B. 5069, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--22. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Suetterlein, Surovell--22.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Vogel--17.

RULE 36--0.

RECONSIDERATION

Senator Suetterlein moved to reconsider the vote by which **H.B. 5069** (five thousand sixty-nine) was passed with its title.

The motion was agreed to by unanimous consent.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--39.

NAYS--0.

RULE 36--0.

H.B. 5069, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--18.

RULE 36--0.

SENATE BILL ON THIRD READING

S.B. 5015 (five thousand fifteen) was read by title the third time and, on motion of Senator Howell, was passed with its title.

The recorded vote is as follows:

YEAS--24. NAYS--15. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Petersen, Saslaw, Spruill, Surovell, Vogel--24.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Kiggans, McDougale, Newman, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--15.

RULE 36--0.

STATEMENTS ON VOTE

Senator Deeds stated that he was abstaining pursuant to Rule 36 on Item 4-14 #2s, but voting on **S.B. 5015** as a whole.

Senator Lewis stated that he was abstaining pursuant to Rule 36 on Item 3-1.01 FF, but voting on **S.B. 5015** as a whole.

Senator Locke stated that she was abstaining pursuant to Rule 36 on Item 303, but voting on **S.B. 5015** as a whole.

Senator Lucas stated that she was abstaining pursuant to Rule 36 on Item 313 #9s, Item 479.20 #1s, and Item 482.20 #18s, but voting on **S.B. 5015** as a whole.

Senator McClellan stated that she was abstaining pursuant to Rule 36 on Item 114, but voting on **S.B. 5015** as a whole.

Senator McPike stated that he was abstaining pursuant to Rule 36 on Item 385 and Item C-70, but voting on **S.B. 5015** as a whole.

Senator Norment stated that he was abstaining pursuant to Rule 36 on Item 313, but voting on **S.B. 5015** as a whole.

Senator Surovell stated that he was abstaining pursuant to Rule 36 on Item 374, but voting on **S.B. 5015** as a whole.

Senator Hanger stated that he wished to be recorded as voting nay on the question of agreeing to Item 299, Item 301, and Item 302 to **S.B. 5015**.

MEMORIAL RESOLUTIONS

S.R. 555 (five hundred fifty-five), on motion of Senator Suetterlein, was ordered to be engrossed and was agreed to by a unanimous standing vote.

S.R. 560 (five hundred sixty), on motion of Senator Chafin, was passed by for the day.

COMMENDING RESOLUTIONS

S.R. 558 (five hundred fifty-eight), on motion of Senator Reeves, was passed by for the day.

S.R. 559 (five hundred fifty-nine), on motion of Senator Morrissey, was passed by for the day.

LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

October 2, 2020

H.B. 5052. An Act to amend and reenact § 2.2-3300 of the Code of Virginia, relating to legal holidays; Juneteenth.

H.B. 5059. An Act to amend the Code of Virginia by adding a section numbered 8.01-225.03, relating to certain hospices, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability; COVID-19; emergency.

EMERGENCY

H.B. 5113. An Act to amend the Code of Virginia by adding a section numbered 22.1-207.4:1, relating to certain school boards; student meals; participation in the Community Eligibility Provision.

S.B. 5013. An Act to amend and reenact § 18.2-250.1 of the Code of Virginia, relating to possession of marijuana; prepay penalty.

S.B. 5031. An Act to amend and reenact § 2.2-3300 of the Code of Virginia, relating to legal holidays; Juneteenth.

S.B. 5082. An Act to amend the Code of Virginia by adding a section numbered 8.01-225.03, relating to certain hospices, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability; COVID-19; emergency.

EMERGENCY

On motion of Senator Peake, a leave of absence for the day was granted Senator Pillion on account of pressing personal business.

RECESS

At 4:10 p.m., Senator Saslaw moved that the Senate recess until 2:00 p.m. on Wednesday, October 7, 2020.

The motion was agreed to.

The hour of 2:00 p.m. on Wednesday, October 7, 2020, having arrived, the Chair was resumed.

On motion of Senator Lucas, the Senate adjourned until Wednesday, October 7, 2020, at 2:15 p.m.

A handwritten signature in black ink, appearing to read "J. E. Fairfax". The signature is fluid and cursive, with the first and last letters of each name being capitalized and prominent.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with the first and last letters of each name being capitalized and prominent.

Susan Clarke Schaar
Clerk of the Senate

WEDNESDAY, OCTOBER 7, 2020

The Senate met at 2:15 p.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Jennifer B. Boysko, Thirty-third Senatorial District, offered the following prayer:

Keep us, O Lord, from pettiness. Let us be large in thought, in word, in deed. Let us be done with fault finding and leave off self-seeking. May we put away all pretense and meet each other face-to-face without self-pity and without prejudice. May we never be hasty in judgment and always generous. Let us take time for all things; make us grow calm, serene, and gentle. Teach us to put into action better impulses, straightforward and unafraid. Grant that we may realize that it is the little things that create differences, that in the big things in life we are at one. And may we strive to touch and to know the great common human heart of us all. And, O Lord God, let us forget not to be kind.

I have the prayer of St. Francis that I would like to share if everyone would bow their heads. Lord, make me a channel of Thy peace. That where there is hatred, I may bring love. That where there is wrong, I may bring the spirit of forgiveness. That where there is discord, I may bring harmony. That where there is error, I may bring truth. That where there is doubt, I may bring faith. That where there is despair, I may bring hope. That where there are shadows, I may bring light. That where there is sadness, I may bring joy. Lord, grant that I may seek rather to comfort than to be comforted, to understand than to be understood, to love than to be loved. For it is in self-forgetting that one finds, it is by forgiving that one is forgiven. It is by dying that one awakens to eternal life. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Bladen Finch, Senate Page Program Director/Civics Coordinator, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel.

A quorum was present.

On motion of Senator Stuart, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--29. NAYS--7. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell, Vogel--29.

NAYS--Deeds, DeSteph, McDougle, Peake, Petersen, Reeves, Stanley--7.

RULE 36--0.

HOUSE COMMUNICATIONS

The following communications were received:

In the House of Delegates
October 2, 2020

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

S.B. 5014. A BILL to amend and reenact §§ 9.1-102 and 9.1-188 of the Code of Virginia, relating to minimum training standards for law-enforcement officers; crisis intervention team training.

S.B. 5018. A BILL to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to conditional release of geriatric or terminally ill prisoners.

S.B. 5030. A BILL to amend and reenact §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 9.1-168, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding sections numbered 9.1-112.1 and 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3 through 19.2-83.7, relating to policing reform.

S.B. 5034. A BILL to amend and reenact §§ 53.1-40.01 and 53.1-202.3 of the Code of Virginia, relating to release of prisoners.

S.B. 5038. A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 16, consisting of a section numbered 9.1-193, and by adding a section numbered 37.2-311.1, relating to response to mental health crises; establishment of the mental health awareness response and community understanding services (Marcus) alert system.

S.B. 5043. A BILL to amend and reenact §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 2 of Title 17.1 a section numbered 17.1-205.1, relating to expungement of police and court records; Expungement Fee Fund created.

THE HOUSE OF DELEGATES HAS PASSED WITH A SUBSTITUTE WITH AMENDMENT THE FOLLOWING SENATE BILL:

S.B. 5007. A BILL to amend and reenact §§ 19.2-257, 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3 of the Code of Virginia, relating to criminal cases; sentencing reform.

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

H.B. 5106. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to landlord and tenant, noncompliance with rental agreement; prohibition on using negative credit information arising from the COVID-19 pandemic against tenants or applicants for tenancy; penalty; emergency.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

H.B. 5043. A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 37.2 an article numbered 5, consisting of sections numbered 37.2-320 through 37.2-323, relating to community care teams and mental health awareness response and community understanding services (Marcus) alert system.

H.B. 5050. A BILL to amend and reenact §§ 2.2-4343 and 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of Governor; purchase of personal protective equipment during a disaster caused by a communicable disease of public health threat.

H.B. 5055. A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight body.

H.B. 5064. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

H.B. 5068. A BILL to amend and reenact § 8.01-512.4 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 34 a section numbered 34-28.3, relating to state of emergency; emergency relief payments exempt; emergency.
EMERGENCY

H.B. 5146. A BILL to amend and reenact §§ 9.1-101, 17.1-293.1, 17.1-323, 17.1-413, 17.1-502, 19.2-72, 19.2-74, 19.2-310.7, 19.2-389.3, and 19.2-390 of the Code of Virginia and to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 23.2, consisting of sections numbered 19.2-392.5 through 19.2-392.14, relating to automatic expungement of criminal records.

H.B. 5148. A BILL to amend and reenact § 53.1-202.3 of the Code of Virginia, relating to Department of Corrections; earned sentence credits.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

S.B. 5017. A BILL to amend and reenact § 53.1-1 of the Code of Virginia, relating to local correctional facility; definition.

S.B. 5024. A BILL to amend and reenact § 2.2-520 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-511.1, relating to law-enforcement misconduct.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

H.B. 5041. A BILL to amend and reenact §§ 32.1-127 and 32.1-162.5 of the Code of Virginia, relating to State Board of Health; public health emergency; patient visitation; notice to family; emergency.
EMERGENCY

H.B. 5046. A BILL to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.

H.B. 5047. A BILL to amend and reenact §§ 59.1-526 and 59.1-527 of the Code of Virginia, relating to the Virginia Post-Disaster Anti-Price Gouging Act; manufacturers and distributors.

H.B. 5048. A BILL to amend the Code of Virginia by adding a section numbered 32.1-37.01, relating to outbreaks of communicable disease of public health threat; posting of information.
EMERGENCY

H.B. 5072. A BILL to amend and reenact § 2.2-520 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-511.1, relating to law-enforcement misconduct.

H.B. 5093. A BILL to amend and reenact § 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of the Governor; executive orders; penalty.

H.B. 5115. A BILL to provide civil relief to citizens furloughed or otherwise receiving reduced wages or payments due to the state of emergency declared by the Governor in response to the COVID-19 pandemic.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

H.B. 5058. A BILL to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, as it is currently effective and as it shall become effective, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic offenses.

H.B. 5062. A BILL to amend and reenact §§ 16.1-69.48:1, 17.1-275.1, 17.1-275.2, 17.1-275.7, 19.2-265.6, 19.2-303.4, 19.2-335, and 19.2-336 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-298.02, relating to court authority in criminal cases; prosecutorial discretion to dispose of a criminal case.

THE HOUSE OF DELEGATES HAS DEFEATED THE FOLLOWING SENATE BILL:

S.B. 5107. A BILL to amend and reenact § 60.2-712 of the Code of Virginia and to repeal the third and fourth enactments of Chapter 1261 of the Acts of Assembly of 2020, relating to unemployment compensation; short-time compensation; sunset repeal; emergency.
EMERGENCY

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

In the House of Delegates
October 7, 2020

THE HOUSE OF DELEGATES HAS INSISTED ON ITS AMENDMENT AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

S.B. 5081. A BILL to amend the Code of Virginia by adding a section numbered 32.1-37.01, relating to outbreaks of communicable disease of public health threat; posting of information.
EMERGENCY

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTES AND HAS REQUESTED COMMITTEES OF CONFERENCE ON THE FOLLOWING SENATE BILLS:

S.B. 5035. A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight body.

S.B. 5088. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

On motion of Senator Saslaw, the Rules were suspended and the reading of the communications from the House of Delegates was waived.

The recorded vote is as follows:
YEAS--30. NAYS--6. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Reeves, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell, Vogel--30.

NAYS--Deeds, DeSteph, McDougle, Peake, Petersen, Stanley--6.
RULE 36--0.

COMMITTEE REPORT

The following bill, having been considered by the committee in session, was reported by Senator Howell from the Committee on Finance and Appropriations:

H.B. 5005 (five thousand five) with Senate amendments as substituted for House amendments.

INTRODUCTION OF LEGISLATION

The following, by leave, were presented and referred under Senate Rule 26 (g):

S.R. 563. Commending Christina Mapes.
Patron--Kiggans
Referred to Committee on Rules

S.R. 564. Commending the Honorable Janine M. Saxe.
Patron--Surovell
Referred to Committee on Rules

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 561. Celebrating the life of Myrl Lewis Hairfield.
Patrons--Norment and Mason

S.R. 562. Celebrating the life of John Manley Garber.
Patrons--McPike, Deeds, Hashmi, Howell, Marsden, McClellan, Reeves and Saslaw

S.R. 565. Celebrating the life of Lois Saunier Hornsby.
Patrons--Norment and Mason

RECESS

At 2:30 p.m., Senator Saslaw moved that the Senate recess until 3:00 p.m.

The motion was agreed to.

The hour of 3:00 p.m. having arrived, the Chair was resumed.

CALENDAR

UNFINISHED BUSINESS—SENATE

S.B. 5035 (five thousand thirty-five) was taken up.

On motion of Senator Hashmi, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--22. NAYS--14. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--22.

NAYS--Chase, Cosgrove, DeSteph, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--14.

RULE 36--0.

S.B. 5081 (five thousand eighty-one) was taken up.

On motion of Senator Barker, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--34. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--34.

NAYS--Chase, Peake--2.

RULE 36--0.

S.B. 5088 (five thousand eighty-eight) was taken up.

On motion of Senator Ebbin, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--34. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--34.

NAYS--Chase, Peake--2.

RULE 36--0.

CONFERENCE PROCEDURES

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators Hashmi, McClellan, and Stuart, the conferees on the part of the Senate for **S.B. 5035** (five thousand thirty-five).

Senator Lucas, Chair of the Committee on Education and Health, appointed Senators Barker, Hashmi, and Kiggans, the conferees on the part of the Senate for **S.B. 5081** (five thousand eighty-one).

Senator Barker, Chair of the Committee on General Laws and Technology, appointed Senators Ebbin, Bell, and Boysko, the conferees on the part of the Senate for **S.B. 5088** (five thousand eighty-eight).

MEMORIAL RESOLUTION

S.R. 560 (five hundred sixty), on motion of Senator Deeds, was ordered to be engrossed and was agreed to by a unanimous standing vote.

COMMENDING RESOLUTIONS

S.R. 558 (five hundred fifty-eight), on motion of Senator Norment, was ordered to be engrossed and was agreed to.

S.R. 559 (five hundred fifty-nine), on motion of Senator Morrissey, was ordered to be engrossed and was agreed to.

SUPPLEMENTAL CALENDAR NO. 1

UNFINISHED BUSINESS—HOUSE

H.B. 5043 (five thousand forty-three) was taken up.

On motion of Senator McPike, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--24. NAYS--12. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Stuart, Suetterlein, Surovell, Vogel--24.

NAYS--Chase, Cosgrove, DeSteph, Hanger, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley--12.

RULE 36--0.

H.B. 5050 (five thousand fifty) was taken up.

On motion of Senator Barker, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--35. NAYS--1. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--35.

NAYS--Chase--1.

RULE 36--0.

H.B. 5055 (five thousand fifty-five) was taken up.

On motion of Senator Edwards, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--21. NAYS--15. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chase, Cosgrove, DeSteph, Hanger, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--15.

RULE 36--0.

H.B. 5064 (five thousand sixty-four) was taken up.

On motion of Senator Ebbin, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--22. NAYS--14. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Suetterlein, Surovell--22.

NAYS--Chase, Cosgrove, DeSteph, Hanger, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Vogel--14.

RULE 36--0.

H.B. 5068 (five thousand sixty-eight) was taken up.

On motion of Senator Edwards, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--34. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--34.

NAYS--Chase, DeSteph--2.

RULE 36--0.

H.B. 5106 (five thousand one hundred six) was taken up.

On motion of Senator Barker, the Senate insisted on its amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--22. NAYS--12. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Ruff, Saslaw, Spruill, Surovell--22.

NAYS--Chase, Cosgrove, Hanger, McDougle, Newman, Obenshain, Peake, Reeves, Stanley, Stuart, Suetterlein, Vogel--12.

RULE 36--0.

H.B. 5146 (five thousand one hundred forty-six) was taken up.

On motion of Senator Edwards, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--22. NAYS--14. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Suetterlein, Surovell--22.

NAYS--Chase, Cosgrove, DeSteph, Hanger, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Vogel--14.

RULE 36--0.

H.B. 5148 (five thousand one hundred forty-eight) was taken up.

On motion of Senator Edwards, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--21. NAYS--15. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chase, Cosgrove, DeSteph, Hanger, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--15.

RULE 36--0.

UNFINISHED BUSINESS—SENATE

S.B. 5007 (five thousand seven) was taken up with the amendment in the nature of a substitute with amendment proposed by the House of Delegates, the title of the substitute, printed separately, and amendment being as follows:

A BILL to amend and reenact §§ 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3 of the Code of Virginia, relating to criminal cases; sentencing reform.

1. After line 85, substitute
insert

2. That the provisions of this act shall not become effective unless reenacted by the 2021 Session of the General Assembly.

Senator Morrissey moved that the substitute with amendment be rejected.

The question was put on agreeing to the substitute with amendment.

The substitute with amendment was rejected.

The recorded vote is as follows:

YEAS--3. NAYS--33. RULE 36--0.

YEAS--Cosgrove, Newman, Stuart--3.

NAYS--Barker, Bell, Boysko, Chase, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell, Vogel--33.

RULE 36--0.

S.B. 5014 (five thousand fourteen) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 9.1-102 and 9.1-188 of the Code of Virginia, relating to minimum training standards for law-enforcement officers; crisis intervention team training.

On motion of Senator Edwards, the substitute was agreed to.

The recorded vote is as follows:

YEAS--32. NAYS--4. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Norment, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--32.

NAYS--Chase, Newman, Obenshain, Suetterlein--4.

RULE 36--0.

S.B. 5018 (five thousand eighteen) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to conditional release of geriatric or terminally ill prisoners.

Senator Bell moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--0. NAYS--36. RULE 36--0.

YEAS--0.

NAYS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

RULE 36--0.

RECONSIDERATION

Senator Obenshain moved to reconsider the vote by which the substitute with amendment proposed by the House of Delegates to **S.B. 5007** (five thousand seven) was rejected.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

NAYS--0.

RULE 36--0.

Senator Morrissey moved that the substitute with amendment be rejected.

The question was put on agreeing to the substitute with amendment.

The substitute with amendment was rejected.

The recorded vote is as follows:

YEAS--13. NAYS--23. RULE 36--0.

YEAS--Cosgrove, Deeds, DeSteph, Hanger, Howell, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stuart--13.

NAYS--Barker, Bell, Boysko, Chase, Ebbin, Edwards, Favola, Hashmi, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Stanley, Suetterlein, Surovell, Vogel--23.

RULE 36--0.

RECONSIDERATION

Senator McDougle moved to reconsider the vote by which the substitute proposed by the House of Delegates to **S.B. 5014** (five thousand fourteen) was agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

NAYS--0.

RULE 36--0.

S.B. 5014, on motion of Senator Edwards, was passed by temporarily.

S.B. 5030 (five thousand thirty) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 18.2-312, 19.2-56, 19.2-201, and 52-30.1 through 52-30.4 of the Code of Virginia; to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding sections numbered

9.1-112.1, 15.2-1704.1, 15.2-1704.2, 15.2-1721.1, 15.2-1722.2, and 18.2-51.8, by adding in Article 4 of Chapter 4 of Title 18.2 a section numbered 18.2-57.5, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3 through 19.2-83.6; and to repeal § 52-11.3 of the Code of Virginia, relating to policing reform.

Senator Locke moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--0. NAYS--36. RULE 36--0.

YEAS--0.

NAYS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

RULE 36--0.

S.B. 5034 (five thousand thirty-four) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 53.1-202.3 of the Code of Virginia, relating to Department of Corrections; earned sentence credits.

Senator Boysko moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--2. NAYS--33. RULE 36--0.

YEAS--DeSteph, Norment--2.

NAYS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, Ebbin, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--33.

RULE 36--0.

S.B. 5038 (five thousand thirty-eight) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 37.2 an article numbered 5, consisting of sections numbered 37.2-320 through 37.2-323, relating to community care teams and mental health awareness response and community understanding services (Marcus) alert system.

Senator McPike moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--0. NAYS--35. RULE 36--0.

YEAS--0.

NAYS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--35.

RULE 36--0.

S.B. 5043 (five thousand forty-three) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 9.1-101, 17.1-293.1, 17.1-323, 17.1-413, 17.1-502, 19.2-72, 19.2-74, 19.2-310.7, 19.2-389.3, and 19.2-390 of the Code of Virginia and to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 23.2, consisting of sections numbered 19.2-392.5 through 19.2-392.14, relating to automatic expungement of criminal records.

Senator Deeds moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--0. NAYS--36. RULE 36--0.

YEAS--0.

NAYS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

RULE 36--0.

HOUSE BILL ON SECOND READING

H.B. 5005 (five thousand five) was read by title the second time.

Senator Howell moved that the Rules be suspended and the third reading of the title of **H.B. 5005** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The question was put on suspending the Rules and dispensing with the third reading of the title of **H.B. 5005** as required by Article IV, Section 11, of the Constitution.

The motion was rejected, having failed to receive the necessary affirmative votes required by Article IV, Section 11, of the Constitution.

The recorded vote is as follows:

YEAS--22. NAYS--14. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell, Vogel--22.

NAYS--Chase, Cosgrove, DeSteph, Hanger, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--14.

RULE 36--0.

UNFINISHED BUSINESS—SENATE

S.B. 5014 (five thousand fourteen) was taken up.

On motion of Senator Edwards, the substitute was agreed to.

The recorded vote is as follows:

YEAS--22. NAYS--14. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Peake, Petersen, Saslaw, Spruill, Surovell--22.

NAYS--Chase, Cosgrove, DeSteph, Hanger, McDougle, Newman, Norment, Obenshain, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--14.

RULE 36--0.

STATEMENT ON VOTE

Senator Peake stated that he was recorded as voting yea on the question of agreeing to the substitute proposed by the House of Delegates to **S.B. 5014**, whereas he intended to vote nay.

RECESS

At 3:35 p.m., Senator Saslaw moved that the Senate recess until 4:15 p.m.

The motion was agreed to.

The hour of 4:15 p.m. having arrived, the Chair was resumed.

HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates
October 7, 2020

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

S.B. 5036. A BILL to amend and reenact §§ 4.1-206 and 4.1-206.3 of the Code of Virginia, relating to alcoholic beverage control; local special events license; limitations on events during public health emergency.

S.B. 5106. A BILL to amend the Code of Virginia by adding a section numbered 15.2-2209.1:1, relating to local land use approvals; extension of approvals to address the COVID-19 pandemic.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

H.B. 5049. A BILL to amend and reenact §§ 9.1-101, 9.1-102, 15.2-1123.1, and 18.2-312 of the Code of Virginia; to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, and by adding sections numbered 15.2-1721.1 and 15.2-1722.2; and to repeal § 52-11.3 of the Code of Virginia, relating to acquisition and use of military property by law-enforcement agencies.

H.B. 5099. A BILL to amend and reenact § 19.2-56 of the Code of Virginia, relating to search warrants; prohibition on no-knock search warrants.

H.B. 5104. A BILL to amend and reenact §§ 15.2-1705 and 15.2-1709 of the Code of Virginia, relating to minimum qualifications for law-enforcement officer, etc.; disclosure of information.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

On motion of Senator Saslaw, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:
YEAS--30. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Petersen, Reeves, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell--30.

NAYS--Deeds, DeSteph, Peake, Stanley, Vogel--5.
RULE 36--0.

SUPPLEMENTAL CALENDAR NO. 2

UNFINISHED BUSINESS—HOUSE

H.B. 5049 (five thousand forty-nine) was taken up.

On motion of Senator Edwards, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:
YEAS--27. NAYS--9. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Peake, Petersen, Ruff, Saslaw, Spruill, Stuart, Surovell--27.

NAYS--Chase, Cosgrove, McDougle, Newman, Obenshain, Reeves, Stanley, Suetterlein, Vogel--9.
RULE 36--0.

H.B. 5099 (five thousand ninety-nine) was taken up.

On motion of Senator Edwards, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--24. NAYS--12. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Petersen, Saslaw, Spruill, Suetterlein, Surovell--24.

NAYS--Chase, Cosgrove, DeSteph, McDougale, Newman, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Vogel--12.

RULE 36--0.

H.B. 5104 (five thousand one hundred four) was taken up.

On motion of Senator Edwards, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--24. NAYS--12. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Petersen, Saslaw, Spruill, Suetterlein, Surovell--24.

NAYS--Chase, Cosgrove, DeSteph, McDougale, Newman, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Vogel--12.

RULE 36--0.

UNFINISHED BUSINESS—SENATE

S.B. 5036 (five thousand thirty-six) was taken up with the amendment proposed by the House of Delegates as follows:

1. After line 669, engrossed
insert

2. That an emergency exists and this act is in force from its passage.

On motion of Senator McPike, the amendment was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

NAYS--0.

RULE 36--0.

S.B. 5106 (five thousand one hundred six) was taken up with the amendment proposed by the House of Delegates as follows:

1. After line 37, engrossed
insert

2. Notwithstanding any provision of law, general or special, nothing in this act shall be construed to extend any provision of § 15.2-2209.1 of the Code of Virginia.

On motion of Senator Lewis, the amendment was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

NAYS--0.

RULE 36--0.

HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates
October 7, 2020

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTES AND HAS REQUESTED COMMITTEES OF CONFERENCE ON THE FOLLOWING SENATE BILLS:

S.B. 5018. A BILL to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to conditional release of geriatric or terminally ill prisoners.

S.B. 5030. A BILL to amend and reenact §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 9.1-168, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding sections numbered 9.1-112.1 and 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3 through 19.2-83.7, relating to policing reform.

S.B. 5034. A BILL to amend and reenact §§ 53.1-40.01 and 53.1-202.3 of the Code of Virginia, relating to release of prisoners.

S.B. 5038. A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 16, consisting of a section numbered 9.1-193, and by adding a section numbered 37.2-311.1, relating to response to mental health crises; establishment of the mental health awareness response and community understanding services (Marcus) alert system.

S.B. 5043. A BILL to amend and reenact §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 2 of Title 17.1 a section numbered 17.1-205.1, relating to expungement of police and court records; Expungement Fee Fund created.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTE WITH AMENDMENT AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

S.B. 5007. A BILL to amend and reenact §§ 19.2-257, 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3 of the Code of Virginia, relating to criminal cases; sentencing reform.

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

H.B. 5043. A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 37.2 an article numbered 5, consisting of sections numbered 37.2-320 through 37.2-323, relating to community care teams and mental health awareness response and community understanding services (Marcus) alert system.

H.B. 5050. A BILL to amend and reenact §§ 2.2-4343 and 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of Governor; purchase of personal protective equipment during a disaster caused by a communicable disease of public health threat.

H.B. 5055. A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight body.

H.B. 5064. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

H.B. 5068. A BILL to amend and reenact § 8.01-512.4 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 34 a section numbered 34-28.3, relating to state of emergency; emergency relief payments exempt; emergency.
EMERGENCY

H.B. 5106. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to landlord and tenant, noncompliance with rental agreement; prohibition on using negative credit information arising from the COVID-19 pandemic against tenants or applicants for tenancy; penalty; emergency.

H.B. 5146. A BILL to amend and reenact §§ 9.1-101, 17.1-293.1, 17.1-323, 17.1-413, 17.1-502, 19.2-72, 19.2-74, 19.2-310.7, 19.2-389.3, and 19.2-390 of the Code of Virginia and to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 23.2, consisting of sections numbered 19.2-392.5 through 19.2-392.14, relating to automatic expungement of criminal records.

H.B. 5148. A BILL to amend and reenact § 53.1-202.3 of the Code of Virginia, relating to Department of Corrections; earned sentence credits.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

On motion of Senator Saslaw, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--29. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Obenshain, Peake, Reeves, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell--29.

NAYS--Deeds, DeSteph, McDougle, Petersen, Stanley--5.

RULE 36--0.

CONFERENCE PROCEDURES

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators McPike, McClellan, and Stuart, the conferees on the part of the Senate for **H.B. 5043** (five thousand forty-three).

Senator Barker, Chair of the Committee on General Laws and Technology, appointed Senators McPike, Ruff, and Marsden, the conferees on the part of the Senate for **H.B. 5050** (five thousand fifty).

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators Hashmi, McClellan, and Stuart, the conferees on the part of the Senate for **H.B. 5055** (five thousand fifty-five).

Senator Barker, Chair of the Committee on General Laws and Technology, appointed Senators Ebbin, Bell, and Boysko, the conferees on the part of the Senate for **H.B. 5064** (five thousand sixty-four).

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators Surovell, Petersen, and Chafin, the conferees on the part of the Senate for **H.B. 5068** (five thousand sixty-eight).

Senator Barker, Chair of the Committee on General Laws and Technology, appointed Senators Barker, Ebbin, and Reeves, the conferees on the part of the Senate for **H.B. 5106** (five thousand one hundred six).

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators Deeds, Lucas, and Norment, the conferees on the part of the Senate for **H.B. 5146** (five thousand one hundred forty-six).

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators Boysko, Surovell, and Cosgrove, the conferees on the part of the Senate for **H.B. 5148** (five thousand one hundred forty-eight).

UNFINISHED BUSINESS—SENATE

S.B. 5007 (five thousand seven) was taken up.

On motion of Senator Morrissey, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--23. NAYS--12. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Stanley, Surovell--23.

NAYS--Chase, Cosgrove, DeSteph, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stuart, Suetterlein--12.

RULE 36--0.

S.B. 5018 (five thousand eighteen) was taken up.

On motion of Senator Bell, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--22. NAYS--13. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--22.

NAYS--Chase, Cosgrove, DeSteph, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--13.

RULE 36--0.

S.B. 5030 (five thousand thirty) was taken up.

On motion of Senator Locke, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--21. NAYS--15. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chase, Cosgrove, DeSteph, Hanger, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--15.

RULE 36--0.

S.B. 5034 (five thousand thirty-four) was taken up.

On motion of Senator Boysko, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--21. NAYS--15. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chase, Cosgrove, DeSteph, Hanger, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--15.

RULE 36--0.

S.B. 5038 (five thousand thirty-eight) was taken up.

On motion of Senator McPike, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--22. NAYS--14. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Suetterlein, Surovell--22.

NAYS--Chase, Cosgrove, DeSteph, Hanger, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Vogel--14.

RULE 36--0.

S.B. 5043 (five thousand forty-three) was taken up.

On motion of Senator Deeds, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--34. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--34.

NAYS--Chase, Peake--2.

RULE 36--0.

CONFERENCE PROCEDURES

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators Morrissey, Edwards, and Stanley, the conferees on the part of the Senate for **S.B. 5007** (five thousand seven).

Senator Favola, Chair of the Committee on Rehabilitation and Social Services, appointed Senators Bell, Mason, and Hanger, the conferees on the part of the Senate for **S.B. 5018** (five thousand eighteen).

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators Surovell, Locke, and Stuart, the conferees on the part of the Senate for **S.B. 5030** (five thousand thirty).

Senator Favola, Chair of the Committee on Rehabilitation and Social Services, appointed Senators Boysko, Surovell, and Cosgrove, the conferees on the part of the Senate for **S.B. 5034** (five thousand thirty-four).

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators McPike, McClellan, and Stuart, the conferees on the part of the Senate for **S.B. 5038** (five thousand thirty-eight).

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators Deeds, Lucas, and Norment, the conferees on the part of the Senate for **S.B. 5043** (five thousand forty-three).

HOUSE COMMUNICATION

The following communication was received and read:

In the House of Delegates
October 7, 2020

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

H.B. 5049. A BILL to amend and reenact §§ 9.1-101, 9.1-102, 15.2-1123.1, and 18.2-312 of the Code of Virginia; to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, and by adding sections numbered 15.2-1721.1 and 15.2-1722.2; and to repeal § 52-11.3 of the Code of Virginia, relating to acquisition and use of military property by law-enforcement agencies.

H.B. 5099. A BILL to amend and reenact § 19.2-56 of the Code of Virginia, relating to search warrants; prohibition on no-knock search warrants.

H.B. 5104. A BILL to amend and reenact §§ 15.2-1705 and 15.2-1709 of the Code of Virginia, relating to minimum qualifications for law-enforcement officer, etc.; disclosure of information.

/s/ Suzette Denslow
Clerk of the House of Delegates

CONFERENCE PROCEDURES

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators Surovell, Locke, and Stuart, the conferees on the part of the Senate for **H.B. 5049** (five thousand forty-nine).

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators Surovell, Locke, and Stuart, the conferees on the part of the Senate for **H.B. 5099** (five thousand ninety-nine).

Senator Edwards, Chair of the Committee on the Judiciary, appointed Senators Surovell, Locke, and Stuart, the conferees on the part of the Senate for **H.B. 5104** (five thousand one hundred four).

LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

October 7, 2020

H.B. 5041. An Act to amend and reenact §§ 32.1-127 and 32.1-162.5 of the Code of Virginia, relating to State Board of Health; public health emergency; patient visitation; notice to family; emergency.
EMERGENCY

H.B. 5046. An Act to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.

H.B. 5047. An Act to amend and reenact §§ 59.1-526 and 59.1-527 of the Code of Virginia, relating to the Virginia Post-Disaster Anti-Price Gouging Act; manufacturers and distributors.

H.B. 5048. An Act to amend the Code of Virginia by adding a section numbered 32.1-37.01, relating to outbreaks of communicable disease of public health threat; posting of information.

EMERGENCY

H.B. 5058. An Act to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, as it is currently effective and as it shall become effective, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic offenses.

H.B. 5062. An Act to amend and reenact §§ 16.1-69.48:1, 17.1-275.1, 17.1-275.2, 17.1-275.7, 19.2-265.6, 19.2-303.4, 19.2-335, and 19.2-336 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-298.02, relating to court authority in criminal cases; prosecutorial discretion to dispose of a criminal case.

H.B. 5072. An Act to amend and reenact § 2.2-520 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-511.1, relating to law-enforcement misconduct.

H.B. 5087. An Act to amend and reenact § 60.2-712 of the Code of Virginia and to repeal the third and fourth enactments of Chapter 1261 of the Acts of Assembly of 2020, relating to unemployment compensation; short-time compensation; sunset repeal; emergency.

EMERGENCY

H.B. 5093. An Act to amend and reenact § 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of the Governor; executive orders; penalty.

H.B. 5098. An Act to amend and reenact § 18.2-461 of the Code of Virginia, relating to hate crime; falsely summoning or giving false reports to law-enforcement officials; penalty.

H.B. 5115. An Act to provide civil relief to citizens furloughed or otherwise receiving reduced wages or payments due to the state of emergency declared by the Governor in response to the COVID-19 pandemic.

S.B. 5017. An Act to amend and reenact § 53.1-1 of the Code of Virginia, relating to local correctional facility; definition.

S.B. 5024. An Act to amend and reenact § 2.2-520 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-511.1, relating to law-enforcement misconduct.

S.B. 5029. An Act to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, as it is currently effective and as it shall become effective, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic offenses.

S.B. 5033. An Act to amend and reenact § 19.2-265.6 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-298.02, relating to court authority in criminal cases; prosecutorial discretion to dispose of a criminal case.

S.B. 5039. An Act to amend and reenact §§ 2.2-4343 and 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of Governor; purchase of personal protective equipment during a disaster caused by a communicable disease of public health threat.

S.B. 5042. An Act to amend and reenact §§ 32.1-127 and 32.1-162.5 of the Code of Virginia, relating to State Board of Health; public health emergency; patient visitation; notice to family; emergency.

EMERGENCY

S.B. 5080. An Act to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.

S.B. 5083. An Act to require each school board to post its COVID-19 virus mitigation plan on its website; emergency.

EMERGENCY

S.B. 5090. An Act to direct the Commissioner of Health to make certain COVID-19-related data available to the public.

S.B. 5117. An Act to amend and reenact § 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of the Governor; executive orders; penalty.

On motion of Senator Stanley, a leave of absence for the day was granted Senator Chafin on account of pressing personal business.

On motion of Senator DeSteph, a leave of absence for the day was granted Senators Dunnivant and Pillion on account of pressing personal business.

On motion of Senator Suetterlein, a leave of absence for the day was granted Senator Kiggans on account of pressing personal business.

RECESS

At 5:30 p.m., Senator Saslaw moved that the Senate recess until 1:55 p.m. on Wednesday, October 14, 2020.

The motion was agreed to.

The hour of 1:55 p.m. on Wednesday, October 14, 2020, having arrived, the Chair was resumed.

On motion of Senator Lucas, the Senate adjourned until Wednesday, October 14, 2020, at 2:15 p.m.

A handwritten signature in black ink, appearing to read "J. Fairfax", written in a cursive style.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar", written in a cursive style.

Susan Clarke Schaar
Clerk of the Senate

WEDNESDAY, OCTOBER 14, 2020

The Senate met at 2:15 p.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable A. Benton Chafin, Jr., Thirty-eighth Senatorial District, offered the following prayer:

O Holy Father, we know that You hear our prayers. I thank and praise You for Your abundant mercy and blessings, for Your steadfast love and Your forgiveness. You blessed me with a mother and a father who raised me to revere and trust You. I thank You for the freedom of religion You have given to America. And, dear God, please forgive our nation for our manifold sins. Cause us to have love, showing charity and mercy to one another. O God, guard our hearts with Your wisdom, with Your understanding, and Your truth, that we may know how to help those who are unable to help themselves. O God, we are but frail men and women who seek to see Your will manifested over this body, this Commonwealth, and the American people. I offer this prayer in the name of the One we serve, Christ Jesus. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Corinne Sloan, Assistant Journal Clerk, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel.

A quorum was present.

On motion of Senator Howell, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--31. NAYS--6. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Saslaw, Spruill, Suetterlein, Surovell--31.

NAYS--Deeds, DeSteph, Dunnavant, McDougle, Petersen, Stanley--6.

RULE 36--0.

HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates

October 7, 2020

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

H.B. 5029. A BILL to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3, 19.2-83.4, and 19.2-83.5, relating to law-enforcement officer; failure to intervene in use of excessive force; penalties.

H.B. 5045. A BILL to amend and reenact § 18.2-64.2 of the Code of Virginia, relating to carnal knowledge of a person detained or arrested by a law-enforcement officer or an inmate, parolee, probationer, juvenile detainee, or pretrial defendant or posttrial offender; local or state law-enforcement officer; penalty.

H.B. 5051. A BILL to amend and reenact §§ 9.1-102, and 15.2-1707 of the Code of Virginia, relating to decertification of law-enforcement officer.

H.B. 5069. A BILL to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3, 19.2-83.4, and 19.2-83.5, relating to law-enforcement officers; prohibition on the use of neck restraints.

H.B. 5108. A BILL to amend and reenact §§ 9.1-108 and 9.1-112 of the Code of Virginia, relating to the Criminal Justice Services Board; Committee on Training; membership and responsibilities.

H.B. 5109. A BILL to amend and reenact §§ 9.1-102 and 15.2-1705 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 9.1-112.1, relating to the Department of Criminal Justice Services; law-enforcement officer training and qualifications.

/s/ Suzette Denslow

Clerk of the House of Delegates

On motion of Senator Saslaw, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--33. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Obenshain, Peake, Reeves, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell, Vogel--33.

NAYS--Deeds, DeSteph, McDougle, Norment, Petersen--5.

RULE 36--0.

INTRODUCTION OF LEGISLATION

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

S.R. 566. Celebrating the life of John Conover.

Patron--Deeds

S.R. 567. Celebrating the life of Saba Labib Shami.

Patrons--Ebbin, Barker, Boysko, Deeds, Favola, Hashmi, Howell, Lucas, Marsden, McPike, Petersen and Saslaw

RECESS

At 2:30 p.m., Senator Norment moved that the Senate recess until 3:15 p.m.

The motion was agreed to.

The hour of 3:15 p.m. having arrived, the Chair was resumed.

CALENDAR

CONFERENCE COMMITTEE REPORTS

On motion of Senator Saslaw, the conference committee reports on the following House and Senate bills were passed by temporarily:

- H.B. 5043** (five thousand forty-three).
- H.B. 5049** (five thousand forty-nine).
- H.B. 5050** (five thousand fifty).
- H.B. 5055** (five thousand fifty-five).
- H.B. 5064** (five thousand sixty-four).
- H.B. 5068** (five thousand sixty-eight).
- H.B. 5099** (five thousand ninety-nine).
- H.B. 5104** (five thousand one hundred four).
- H.B. 5106** (five thousand one hundred six).
- H.B. 5148** (five thousand one hundred forty-eight).
- S.B. 5007** (five thousand seven).
- S.B. 5018** (five thousand eighteen).
- S.B. 5030** (five thousand thirty).
- S.B. 5034** (five thousand thirty-four).
- S.B. 5035** (five thousand thirty-five).
- S.B. 5038** (five thousand thirty-eight).
- S.B. 5081** (five thousand eighty-one).
- S.B. 5088** (five thousand eighty-eight).

HOUSE BILL ON THIRD READING

H.B. 5005 (five thousand five) was read by title the third time.

The following amendments proposed by the Committee on Finance and Appropriations as substituted for House amendments were offered:

Item 0 #1s

Revenues

Revenues

Language

Language:

Page 1, strike lines 33 through 45, and insert:

	First Year	Second Year	Total
Unreserved Balance, June 30 2020	\$2,874,058,799	\$0	\$2,874,058,799
Additions to Balance	(\$1,293,491,604)	\$29,850,000	(\$1,263,641,604)
Official Revenue Estimates	\$21,353,132,509	\$22,185,484,514	\$43,538,617,023
Transfer	\$599,061,189	\$611,758,189	\$1,210,819,378
Total General Fund Resources Available for Appropriation	\$23,532,760,893	\$22,827,092,703	\$46,359,853,596

Page 2, strike lines 1 through 14, and insert:

	First Year	Second Year	Total
Balance, June 30, 2020	\$7,596,232,598	\$0	\$7,596,232,598
Official Revenue Estimates	\$39,443,320,685	\$39,513,286,327	\$78,956,607,012
Lottery Proceeds Fund	\$657,959,397	\$666,104,670	\$1,324,064,067
Internal Service Fund	\$2,115,253,639	\$2,231,861,108	\$4,347,114,747
Bond Proceeds	\$2,478,004,162	\$195,123,500	\$2,673,127,662
Total Nongeneral Fund Revenues Available for Appropriation	\$52,290,770,481	\$42,606,375,605	\$94,897,146,086
TOTAL PROJECTED REVENUES	\$75,823,531,374	\$65,433,468,308	\$141,256,999,682

Explanation:

(This amendment modifies the front page to reflect changes to resources as adopted by the Senate Finance and Appropriations Committee.)

Legislative Department	FY20-21	FY21-22	
	\$19,544	\$39,088	GF

Language:

Page 5, after line 6, insert:

"Commission on Civil Rights and Policing (881)

27.50 Research, Planning and Coordination	\$19,544	\$39,088	
Fund Sources: General	\$19,544	\$39,088	"

Explanation:

(This amendment provides \$19,544 the first year and \$39,088 the second year for the costs associated with the creation of the Commission on Civil Rights and Policing as created pursuant to SB 5003.)

			Item 42 #1s
Judicial Department	FY20-21	FY21-22	
General District Courts	\$0	\$23,147	GF

Language:

Page 6, line 10, strike "\$130,943,333" and insert "\$130,966,480".

Page 6, line 10, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Pre-Trial, Trial, and Appellate Processes (32100)	\$129,538,848	\$130,943,333 <i>\$130,966,480</i>
Trial Processes (32103)	\$104,727,552	\$106,591,572
Other Court Costs And Allowances (Criminal Fund) (32104)	\$18,882,131	\$18,422,596 <i>\$18,445,743</i>
Involuntary Mental Commitments (32105)	\$5,929,165	\$5,929,165
Fund Sources: General	\$129,538,848	\$130,943,333 <i>\$130,966,480</i>

Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-137, 19.2-163 and 37.2-809 et seq., Code of Virginia.

A. Out of the amounts in this Item for Trial Processes shall be paid:

1. The annual salaries of all General District Court judges, \$158,252 from July 1, 2020 to June 9, 2021, \$ 158,252 from June 10, 2021 to June 30, 2022. Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall represent the total compensation for General District Court Judges and incorporate all supplements formerly paid by the various localities.

2. The salaries of substitute judges and court personnel.

B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2020, in the appropriation made in Item 41, Chapter 854, Acts of Assembly of 2019 in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2021.

C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may be transferred between Items 42, 43, 44, and 310, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.

D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.

E. A district court judge shall only be reimbursed for mileage for commuting if the judge has to travel to a courthouse in a county or city other than the one in which the judge resides and the distance between the judge's residence and the courthouse is greater than 25 miles.

F. Upon the retirement or separation from employment of any chief general district court clerks from the 7th judicial district or the 13th judicial district, any vacant chief clerk positions in excess of one chief clerk for each general district court shall be reallocated by the Committee on District Courts to district courts with the highest documented unmet staffing requirements.

G. Included in the appropriation for this item is \$5,732,280 the first year and \$7,596,300 the

second year from the general fund for the Office of the Executive Secretary of the Supreme Court to use, at its discretion, for additional general district court clerk positions, salary increases for general district court clerks, or a combination thereof."

Explanation:

(This amendment provides funding of \$23,147 GF the second year for general district court clerk costs related to staffing pursuant to SB 5043 of the 2020 Special Session 1, as passed the Senate.)

	Item 57 #1s	
Executive Offices	FY20-21	FY21-22
Attorney General and Department of Law	\$69,299 1.00	\$138,598 GF 1.00 FTE

Language:

Page 10, line 42, strike "\$37,064,003" and insert "\$37,133,302".

Page 10, line 42, strike "\$37,064,003" and insert "\$37,202,601".

Page 10, line 42, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Legal Advice (32000)	\$37,064,003	\$37,064,003
	<i>\$37,133,302</i>	<i>\$37,202,601</i>
State Agency/Local Legal Assistance and Advice (32002)	\$37,064,003	\$37,064,003
	<i>\$37,133,302</i>	<i>\$37,202,601</i>
Fund Sources:		
General	\$23,169,033	\$23,169,033
	<i>\$23,238,332</i>	<i>\$23,307,631</i>
Special	\$12,644,138	\$12,644,138
Federal Trust	\$1,250,832	\$1,250,832

Authority: Title 2.2 Chapter 5, Code of Virginia.

A. Out of this appropriation shall be paid:

1. The salary of the Attorney General, \$150,000 the first year and \$150,000 the second year.

2. Expenses of the Attorney General not otherwise reimbursed, \$9,000 each year in equal monthly installments.

3. Salary expenses necessary to provide legal services pursuant to Title 2.2, Chapter 5, Code of Virginia.

B. Out of this appropriation, \$738,536 the first year and \$738,536 the second year from the general fund is designated for efforts to enforce the 1998 Tobacco Master Settlement Agreement and Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia. The Department of Law shall be responsible for enforcement of Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia and the 1998 Tobacco Master Settlement Agreement. The general fund shall be reimbursed on a proportional basis from the Tobacco Indemnification and Community Revitalization Fund and the Virginia Tobacco Settlement Fund for costs associated with the enforcement of the 1998 Tobacco Master Settlement Agreement pursuant to transfers directed by Item 479 and § 3-1.01, Paragraph N of this act.

C. Upon notification by the Attorney General, agencies that administer programs which are funded wholly or partially from nongeneral fund appropriations shall transfer to the Department of Law the necessary funds to cover the costs of legal services that are related to such nongeneral funds. The Attorney General, in consultation with the respective agency heads, shall determine the amounts for transfer. It is the intent of the General Assembly that legal services provided by the Office of the Attorney General for general fund-supported programs shall be provided out of this appropriation.

D. At the request of the Attorney General, the Director, Department of Planning and Budget, shall provide an amount not to exceed \$100,000 per year from the Miscellaneous Contingency Reserve Account to pay the compensation, fees, and expenses of (i) counsel appointed by the Office of the Attorney General in actions brought pursuant to § 15.2-1643, Code of Virginia, to cause court facilities to be made secure, or put in good repair, or rendered otherwise safe, and (ii) counsel representing court personnel, including clerks, judges, and Justices in actions arising out of their official duties.

E.1. Pursuant to Chapter 577 of the Acts of Assembly of 2008, the Office of the Attorney General shall provide legal service in civil matters and consultation and legal advice in suits and other legal actions to soil and water conservation district directors and districts upon the request of those district directors or districts at no charge, inclusive of all fees, expenses, or other costs associated with litigation, excluding the payment of damages.

2. If the Office of the Attorney General is unable to provide legal services to the soil and water conservation districts, and as a result the districts incur costs from retaining other counsel, then the Director of the Department of Planning and Budget shall transfer general fund appropriations from the Office of the Attorney General to the Department of Conservation and Recreation in an amount equal to the cost incurred by the soil and water conservation districts to

be used to reimburse the districts for costs incurred.

F. The Attorney General shall prepare and submit a report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1 of each year detailing expenditures in the prior fiscal year for special outside counsel by any executive branch agencies. The report shall include the reasoning why outside counsel is necessary, the hourly rate charged by outside counsel, total expenditures, and funding source.

G. Except as otherwise specifically provided by law, all legal services of the Office of the Attorney General shall be performed exclusively by (i) an employee of the Office, (ii) an employee of another Virginia governmental entity as may be provided by law, (iii) an employee of a federal governmental entity pursuant to an agreement between the Office of the Attorney General and such federal governmental entity, or (iv) law students or recent law school graduates sponsored by a separate institution with a stipend. Except as otherwise specifically provided under this act, the sole source of compensation paid to employees of the Office of the Attorney General for performing legal services on behalf of the Commonwealth shall be from the appropriations provided under this act. In any case in which the Office of the Attorney General is authorized under law to contract with, hire, or engage a person other than a person described in clauses (i), (ii), (iii), or (iv) to perform legal services on behalf of the Commonwealth, the sole consideration for such legal services shall be a monetary amount bargained for in an arm's length transaction with such person and the Office of the Attorney General or another Virginia governmental entity, stating under what authority that office enters the contract. Only persons described in clauses (i), (ii), (iii), or (iv) shall perform legal services on premises leased by the Office of the Attorney General. Nothing in this paragraph shall prohibit the Office of the Attorney General from entering into a settlement agreement with a defendant arising from a case litigated or prosecuted by a federal governmental entity, local governmental entity, or an Attorney General's Office in another state or United States territory. Nothing in this paragraph shall prohibit the Office of the Attorney General from employing and providing office space to an unpaid intern assisting in performing legal services, provided that such intern does not possess a current license to practice law in the Commonwealth, any other state, or any United States territory."

Explanation:

(This amendment provides funding of \$69,299 GF the first year and \$138,598 GF the second year and 1.0 FTE attorney position to provide legal representation to the Department of Criminal Justice Services for additional decertification hearings pursuant to SB 5030 of the 2020 Special Session 1, as passed the Senate.)

Item 61 #1s

Executive Offices

FY20-21

FY21-22

Attorney General and Department of Law	\$114,709 2.00	\$229,418 2.00	GF FTE
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Language:

Page 11, line 3, strike "\$929,917" and insert "\$1,044,626".
 Page 11, line 3, strike "\$929,917" and insert "\$1,159,335".
 Page 11, line 3, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Personnel Management Services (70400)	\$929,917 \$1,044,626	\$929,917 \$1,159,335
Compliance and Enforcement (70414)	\$929,917 \$1,044,626	\$929,917 \$1,159,335
Fund Sources:		
General	\$853,468 \$968,177	\$853,468 \$1,082,886
Federal Trust	\$76,449	\$76,449

Authority: Title 2.2, Chapter 26, Article 12, and Chapter 39; Title 15.2, Chapter 16, § 15.2-1604, Code of Virginia."

Explanation:

(This amendment provides funding of \$114,709 GF the first year and \$229,418 GF the second year and 2.0 FTE positions to implement the provisions of SB 5024, of the 2020 Special Session 1, as passed the Senate.)

Item 86 #1s

Administration	FY20-21	FY21-22
Department of Elections	(\$2,000,000)	\$0 GF

Language:

Page 16, line 7, strike "\$20,858,038" and insert "\$18,858,038".
 Page 16, strike lines 6 through 48 and insert "Not set out."
 Page 17, strike lines 1 through 60.

Page 18, strike lines 1 through 3.

Explanation:

(This amendment removes duplicative funding and language related to the 2020 general and special elections. Chapter 1, 2020 Special Session 1, Acts of Assembly, amended Chapter 1289, 2020 Acts of Assembly, to provide \$2.0 million GF to reimburse localities for the cost of prepaid postage for the return of mailed absentee ballots, and language governing the administration of absentee ballots and drop-off boxes.)

	Item 112 #1s	
Commerce and Trade	FY20-21	FY21-22
Economic Development Incentive	(\$3,000,000)	(\$3,000,000) GF
Payments	(\$630,000)	(\$261,000) NGF

Language:

Page 23, line 5, strike "\$77,898,533" and insert "\$74,268,533".

Page 23, line 5, strike "\$55,528,283" and insert "\$52,267,283".

Page 23, line 5, strike "Not set out." and insert:

Drawn to Chapter 1289

"Economic Development Services (53400)	\$77,898,533	\$55,528,283
	\$74,268,533	\$52,267,283
Financial Assistance for Economic Development (53410)	\$77,898,533	\$55,528,283
	\$74,268,533	\$52,267,283
Fund Sources: General	\$77,118,533	\$55,117,283
	\$74,118,533	\$52,117,283
Special	\$630,000	\$261,000
	\$0	\$0
Dedicated Special Revenue	\$150,000	\$150,000

Authority: Discretionary Inclusion.

A.1. Out of the appropriation for this Item, \$19,750,000 the first year and \$19,750,000 the second year from the general fund shall be deposited to the Commonwealth's Development Opportunity Fund, as established in § 2.2-115, Code of Virginia. Such funds shall be used at the discretion of the Governor, subject to prior consultation with the Chairmen of the House Appropriations and Senate Finance Committees, to attract economic development prospects

to locate or expand in Virginia. If the Governor, pursuant to the provisions of § 2.2-115, E.1., Code of Virginia, determines that a project is of regional or statewide interest and elects to waive the requirement for a local matching contribution, such action shall be included in the report on expenditures from the Commonwealth's Development Opportunity Fund required by § 2.2-115, F., Code of Virginia. Such report shall include an explanation on the jobs anticipated to be created, the capital investment made for the project, and why the waiver was provided.

2. The Governor may allocate these funds as grants or loans to political subdivisions. Loans shall be approved by the Governor and made in accordance with procedures established by the Virginia Economic Development Partnership and approved by the State Comptroller. Loans shall be interest-free unless otherwise determined by the Governor and shall be repaid to the general fund of the state treasury. The Governor may establish the interest rate to be charged, otherwise, any interest charged shall be at market rates as determined by the State Treasurer and shall be indicative of the duration of the loan. The Virginia Economic Development Partnership shall be responsible for monitoring repayment of such loans and reporting the receivables to the State Comptroller as required.

3. Funds may be used for public and private utility extension or capacity development on and off site; road, rail, or other transportation access costs beyond the funding capability of existing programs; site acquisition; grading, drainage, paving, and other activity required to prepare a site for construction; construction or build-out of publicly-owned buildings; grants or loans to an industrial development authority, housing and redevelopment authority, or other political subdivision pursuant to their duties or powers; training; or anything else permitted by law.

4. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

5. It is the intent of the General Assembly that the Virginia Economic Development Partnership shall work with localities awarded grants from the Commonwealth's Development Opportunity Fund to recover such moneys when the economic development projects fail to meet minimal agreed-upon capital investment and job creation targets. All such recoveries shall be deposited and credited to the Commonwealth's Development Opportunity Fund.

6. Up to \$5,000,000 of previously awarded funds and funds repaid by political subdivisions or business beneficiaries and deposited to the Commonwealth's Development Opportunity Fund may be used to assist Prince George County with site improvements related to the

location of a major aerospace engine manufacturer to the Commonwealth.

B.1. Out of the appropriation for this Item, \$5,223,700 the first year and \$4,978,700 the second year from the general fund shall be deposited to the Investment Performance Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5101, Code of Virginia.

2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

C. Out of the appropriation for this Item, \$4,000,000 the first year and \$4,000,000 the second year from the general fund and an amount estimated at \$150,000 the first year and \$150,000 the second year from nongeneral funds shall be deposited to the Governor's Motion Picture Opportunity Fund, as established in § 2.2-2320, Code of Virginia. These nongeneral fund revenues shall be deposited to the fund from revenues generated by the digital media fee established pursuant to § 58.1-1731, et seq., Code of Virginia. Such funds shall be used at the discretion of the Governor to attract film industry production activity to the Commonwealth.

~~D. Out of the appropriation for this Item, \$3,000,000 the first year and \$3,000,000 the second year from the general fund shall be deposited to the Aerospace Manufacturing Performance Grant Fund, and \$630,000 the first year and \$261,000 the second year from the Aerospace Manufacturer Workforce Training Grant Fund is hereby appropriated. These funds shall be used for grants in accordance with §§ 59.1-284.20 and 59.1-284.22, Code of Virginia.~~

E D.1. Out of the appropriation for this Item, \$1,000,000 the first year and \$1,000,000 the second year from the general fund shall be deposited to the Virginia Economic Development Incentive Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5102.1, Code of Virginia.

2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

3. Notwithstanding § 2.2-5102.1.E. or any other provision of law, and subject to appropriation by the General Assembly, up to \$8,000,000 in economic development incentive grants is authorized for eligible projects to be awarded on or after July 1, 2017, but before June 30, 2019. Any eligible project awarded such grants shall be subject to the conditions set forth in § 2.2-5102.1. Any additional grant awards not authorized by this act,

including any awards after June 30, 2019, shall require separate legislation.

F E. Out of the appropriation for this Item, \$4,669,833 the first year and \$4,669,833 the second year from the general fund shall be available for eligible businesses under the Virginia Jobs Investment Program. Pursuant to § 2.2-1611, Code of Virginia, the appropriation provided for the Virginia Jobs Investment Program for eligible businesses shall be deposited to the Virginia Jobs Investment Program Fund.

G F. Out of the appropriation for this Item, \$500,000 the first year and \$500,000 the second year from the general fund may be provided to the Virginia Economic Development Partnership to facilitate additional domestic and international marketing and trade missions approved by the Governor. The Director, Department of Planning and Budget, is authorized to provide these funds to the Virginia Economic Development Partnership upon written approval of the Governor.

H G. Out of the appropriation for this Item, \$20,000,000 the first year from the general fund shall be deposited to the Semiconductor Manufacturing Grant Fund for the award of grants to a qualified semiconductor manufacturing company in a qualified locality in accordance with § 59.1-284.32, Code of Virginia, and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.

I H. Out of the appropriation in this Item, \$8,000,000 the first year and \$8,000,000 the second year from the general fund shall be deposited to the Advanced Shipbuilding Production Facility Grant Fund for grants to be paid in accordance with § 59.1-284.29, Code of Virginia.

J I. Out of the appropriation in this Item, \$5,310,000 the first year and \$2,900,000 the second year from the general fund shall be deposited to the Special Workforce Grant Fund for grants to be paid in accordance with § 59.1-284.30, Code of Virginia.

K J. Out of the appropriation in this Item, \$2,000,000 the first year and \$2,000,000 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants to a qualified truck manufacturing company in a qualified locality in accordance with legislation to be considered by the 2020 General Assembly and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.

L K.1. Out of the appropriation in this Item, \$3,230,000 the first year and \$2,993,750 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants in accordance with legislation to be considered by the 2020 General

Assembly.

2. Of the amounts deposited to the fund, \$2,500,000 the first year and \$2,500,000 the second year may be awarded as grants to a qualified pharmaceutical company in a qualified locality pursuant to the legislation and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.

3. Of the amounts deposited to the fund, \$730,000 the first year and \$493,750 the second year may be awarded as grants to a comprehensive community college and a baccalaureate public institution of higher education in or near the eligible county pursuant to the legislation.

~~M~~ L. Out of the appropriation in this Item, \$500,000 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants to a qualified advanced production company in a qualified locality in accordance with legislation to be considered by the 2020 General Assembly and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.

~~N~~ M.1. Out of the amounts in this item, \$425,000 the first year and \$825,000 the second year from the general fund shall be deposited to the Governor's New Airline Service Incentive Fund to assist in the provision of marketing, advertising, or promotional activities by airlines in connection with the launch of new air passenger service at Virginia airports, and to incentivize airlines that have committed to commencing new air passenger service in Virginia, pursuant to the provisions of § 2.2-2320.1, Code of Virginia.

2. Notwithstanding the provisions of § 2.2-2320.1, Code of Virginia, 25 percent of the annual appropriation to the Governor's New Airline Service Incentive Fund shall be set aside for projects in Virginia commercial airports with less than 400,000 enplanements per calendar year for the purposes of economic development in these areas. Enplanement data shall come from the Federal Aviation Administration."

Explanation:

(This amendment removes appropriations for economic development incentive payments related to the Rolls-Royce facility in Prince George County. The facility is closing due to a COVID-related drop in demand in the aerospace industry. Upon enrolling, Item 112 will be set out and enrolled appropriately.)

	Item 131 #1s	
Commerce and Trade	FY20-21	FY21-22
Virginia Employment Commission	\$325,000	\$325,000 GF
	5.00	5.00 FTE

Language:

Page 33, line 9, strike "\$555,338,468" and insert "\$555,663,468".

Page 33, line 9, strike "\$552,133,812" and insert "\$552,458,812".

Page 33, line 9, strike "Not set out." and insert:

Drawn to Chapter 1289

"Workforce Systems Services (47000)	\$555,338,468	\$552,133,812
	\$555,663,468	\$552,458,812
Job Placement Services (47001)	\$31,718,264	\$31,718,264
Unemployment Insurance Services (47002)	\$522,735,822	\$519,531,166
	\$523,060,822	\$519,856,166
Workforce Development Services (47003)	\$884,382	\$884,382
Fund Sources: <i>General</i>	\$325,000	\$325,000
Special	\$8,931,271	\$8,931,271
Trust and Agency	\$546,407,197	\$543,202,541

Authority: Title 60.2, Chapters 1 through 6, Code of Virginia.

A. Revenues deposited into the Special Unemployment Compensation Administration Fund shall be used for the purposes set out in the following order of priority: 1) to make payment of any interest owed on loans from the U.S. Treasury for payment of unemployment compensation benefits; 2) to support essential services of the Commission, particularly in the event of reductions in federal funding; 3) to finance the cost of capital projects; and 4) to fund the discretionary fund established in § 60.2-315, Code of Virginia. Funding may be transferred from the capital budget to the operating budget consistent with this language.

B.1. Reed Act funds distributed by the Employment Security Financing Act of 1954 with respect to the federal fiscal years 1956, 1957, and 1958 and credited to the agency from the proceeds related to the sale of agency property with federal equity are hereby appropriated (up to \$600,000) to maintain service levels in the agency's local offices.

2. Reed Act funds distributed by the Balanced Budget Act of 1997 and credited to the unemployment trust fund with respect to federal fiscal years 2000, 2001, and 2002, under § 1103 of the Social Security Act (42 U.S.C.), as amended, shall be used only for the administration of the unemployment compensation program, under the direction of the Virginia Employment Commission, and shall not be subject to the requirements of § 60.2-305, Code of Virginia. Reed Act funds from the Balanced Budget Act are hereby appropriated (up to \$2.2 million, not to exceed the balance of said Reed Act funds) to pay for upgrading the information technology systems at the Virginia Employment Commission.

C. There is hereby appropriated out of the funds made available to this state under § 1103 of the Social Security Act (42 U.S.C.) as amended, the balance of the \$51,067,866 of Reed Act funds, if any, provided in Item 120 E. of Chapter 847, 2007 Acts of Assembly, for upgrading obsolete information technology systems, to include staff costs. This appropriation is subject to the provisions of § 60.2-305, Code of Virginia. Savings as a result of the new systems shall be retained by the commission.

D. Notwithstanding any other provision of law, all fees incurred by the Virginia Employment Commission with respect to the collection of debts authorized to be collected under § 2.2-4806 of the Code of Virginia, using the Treasury Offset Program of the United States, shall become part of the debt owed the Commission and may be recovered accordingly.

E. Workforce development programs shall give priority to assisting Medicaid enrollees who are required to participate in the Training, Education, Employment and Opportunity Program to the extent allowed by federal law.

F. The Governor shall have the authority to alter the administration of the provisions of the Virginia Unemployment Compensation Act, Title 60.2 of the Code of Virginia, to meet the exigencies of a health emergency crisis.

G. Out of the amounts in this item, \$325,000 the first year and \$325,000 the second year from the general fund is provided to support five positions responsible for investigating and responding to legislative and judicial inquiries."

Explanation:

(This amendment provides \$325,000 GF each year and five positions that will be responsible for investigating and responding to legislative and judicial inquiries of the VEC. Upon enrolling, Item 131 will be set out and enrolled appropriately.)

Item 144 #1s

Education

Direct Aid to Public Education

Language

Language:

Page 36, strike line 3, and insert:

"Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)	\$45,771,554	\$44,194,141
General Management and Direction (49901)	\$45,771,554	\$44,194,141
Fund Sources:		
General	\$45,771,554	\$44,194,141

Authority: Discretionary Inclusion.

Appropriation Detail of Educational, Cultural, Community, and Artistic Affairs (14300)

Supplemental Education Assistance Programs FY 2021 (14304)	FY 2021	FY 2022
Achievable Dream	\$500,000	\$500,000
Active Learning Grants	\$250,000	\$0
American Civil War Museum	\$1,000,000	\$0

Black History Museum and Cultural Center of Virginia	\$1,300,000	\$0
Blue Ridge PBS	\$500,000	\$500,000
Bonder and Amanda Johnson Community Development Corporation	\$100,000	\$0
Brooks Crossing Innovation and Opportunity Center	\$250,000	\$250,000
Career and Technical Education Regional Centers	\$660,000	\$660,000
Career and Technical Education Resource Center	\$298,021	\$298,021
Career Council at Northern Neck Career & Technical Center	\$60,300	\$60,300
Chesterfield Recovery High School	\$250,000	\$250,000
College Partnership Laboratory School	\$50,000	\$50,000
Communities in Schools (CIS)	\$2,004,400	\$2,004,400
Computer Science Teacher Training	\$550,000	\$550,000
Early Childhood Educator Incentive	\$3,000,000	\$5,000,000
Emil and Grace Shihadeh Innovation Center	\$250,000	\$0
Great Aspirations Scholarship Program (GRASP)	\$500,000	\$500,000
Jobs for Virginia Graduates (JVG)	\$2,243,776	\$2,243,776
Literacy Lab - VPI Minority Educator Fellowship	\$300,000	\$0
National Board Certification Program	\$5,021,609	\$5,009,196
Newport News Aviation Academy - STEM Program	\$100,000	\$0
Newport News - Soundscapes	\$90,000	\$0
Petersburg Executive Leadership Recruitment Incentives	\$350,000	\$350,000
Positive Behavioral Interventions & Support (PBIS)	\$1,598,000	\$1,598,000
Power Scholars Academy - YMCA BELL	\$1,000,000	\$1,000,000
Praxis and Virginia Communication and Literacy Assessment Assistance for Provisionally Licensed Minority Teachers	\$50,000	\$50,000
Project Discovery	\$962,500	\$962,500
School Program Innovation	\$500,000	\$500,000
Small School Division Assistance	\$145,896	\$145,896
Southside Virginia Regional Technology Consortium	\$108,905	\$108,905
Southwest Virginia Public Education Consortium	\$124,011	\$124,011

STEM Program / Research Study (VA Air & Space Center)	\$681,975	\$681,975
STEM Competition Team Grants	\$200,000	\$200,000
Targeted Extended/Enriched School Year and Year-round School Grants	\$7,763,312	\$7,763,312
Teach for America	\$500,000	\$500,000
Teacher Improvement Funding Initiative	\$15,000	\$15,000
Teacher Recruitment & Retention Grant Programs	\$2,181,000	\$2,181,000
Teacher Residency Program	\$1,750,000	\$1,750,000
Van Gogh Outreach Program	\$71,849	\$71,849
Virginia Early Childhood Foundation (VECF)	\$6,250,000	\$6,250,000
Virginia Reading Corps	\$600,000	\$600,000
Virginia Student Training and Refurbishment (VA STAR) Program	\$300,000	\$300,000
Vision Screening Grants	\$391,000	\$391,000
Vocational Lab Pilot	\$175,000	\$0
Western Virginia Public Education Consortium	\$50,000	\$50,000
Wolf Trap Model STEM Program	\$725,000	\$725,000
Total	\$45,771,554	\$44,194,141

A. Out of this appropriation, the Department of Education shall provide \$2,243,776 the first year and \$2,243,776 the second year from the general fund for the Jobs for Virginia Graduates initiative.

B. Out of this appropriation, the Department of Education shall provide \$124,011 the first year and \$124,011 the second year from the general fund for the Southwest Virginia Public Education Consortium at the University of Virginia's College at Wise. An additional \$71,849 the first year and \$71,849 the second year from the general fund is provided to the Consortium to continue the Van Gogh Outreach program with Lee and Wise County Public Schools and expand the program to the twelve school divisions in Southwest Virginia.

C. This appropriation includes \$108,905 the first year and \$108,905 the second year from the general fund for the Southside Virginia Regional Technology Consortium to expand the research and development phase of a technology linkage.

D. An additional state payment of \$145,896 the first year and \$145,896 the second year from

the general fund is provided as a Small School Division Assistance grant for the City of Norton. To receive these funds, the local school board shall certify to the Superintendent of Public Instruction that its division has entered into one or more educational, administrative or support service cost-sharing arrangements with another local school division.

E. Out of this appropriation, \$298,021 the first year and \$298,021 the second year from the general fund shall be allocated for the Career and Technical Education Resource Center to provide vocational curriculum and resource instructional materials free of charge to all school divisions.

F. It is the intent of the General Assembly that the Department of Education provide bonuses from state funds to classroom teachers in Virginia's public schools who hold certification from the National Board of Professional Teaching Standards. Such bonuses shall be \$5,000 the first year of the certificate and \$2,500 annually thereafter for the life of the certificate. This appropriation includes an amount estimated at \$5,021,609 the first year and \$5,009,196 the second year from the general fund for the purpose of paying these bonuses. By October 15 of each year, school divisions shall notify the Department of Education of the number of classroom teachers under contract for that school year that hold such certification.

G. This appropriation includes \$2,181,000 the first year and \$2,181,000 the second year from the general fund for grants, scholarships, and incentive payments to attract, recruit, and retain high-quality teachers and fill critical teacher shortage disciplines in Virginia's public schools.

1. Out of this appropriation, \$708,000 the first year and \$708,000 the second year from the general fund is provided for teaching scholarship loans. These scholarships shall be for undergraduate students in college with a cumulative grade point average of at least 2.7 on a 4.0 scale or its equivalent, who are nominated by their Virginia regionally accredited college or university, and who meet the criteria and qualifications, pursuant to § 22.1-290.01, Code of Virginia, except as provided herein. Awards shall be made to students who are enrolled full-time or part-time in approved undergraduate or graduate teacher education programs for the top ten critical teacher shortage disciplines, however minority students may be enrolled in any content area for teacher preparation. Upon program completion, scholarship recipients may fulfill the scholarship loan obligation by teaching in the public schools of the Commonwealth in the first full academic year after becoming eligible for a renewable teaching license in the appropriate endorsement area and teaching for at least two years in a school division (i) in one of the critical teacher shortage disciplines as established by the Board of Education; or (ii) in a Virginia public school with 50 percent or more of the students eligible for free or reduced price lunch; or (iii) in a school division designated critical shortage subject area, as defined in the Board of Education's Regulations Governing the Determination of Critical Teacher Shortage Areas. Scholarship recipients who only complete one year of the teaching obligation shall be forgiven for one-half of the scholarship loan amount. Scholarship amounts are based on up to \$10,000 per year for full-time students, and shall be prorated for part-time students based on the number of credit hours. The Department of Education shall report annually on the critical

shortage teaching areas in Virginia.

a. The Department of Education shall make payments on behalf of the scholarship recipients directly to the Virginia institution of higher education where the scholarship recipient is enrolled full-time or part-time in an approved undergraduate or graduate teacher education program.

b. The Department of Education is authorized to recover total funds awarded as scholarships, or the appropriate portion thereof, in the event that scholarship recipients fail to honor the stipulated teaching obligation.

c. Within the fiscal year, any funds not awarded from this program may be applied toward the other teacher preparation, recruitment, and retention programs under paragraph G.

2. Out of this appropriation, \$808,000 the first year and \$808,000 the second year from the general fund is provided to attract, recruit, and retain high-quality diverse individuals to teach science, technology, engineering, or mathematics (STEM) subjects in Virginia's middle and high schools experiencing difficulty in recruiting qualified teachers. Eligible teachers must (i) be employed full-time in a Virginia school division or school with more than 40 percent of the students eligible for free or reduced price lunch; (ii) be entering their first, second, or third year of teaching experience; and (iii) hold a five- or ten-year valid Virginia teaching license with an endorsement in Middle Education 6-8: Mathematics, Mathematics-Algebra-I, Mathematics, Middle Education 6-8: Science, Biology, Chemistry, Earth and Space Science, Physics, Engineering, or Technology Education and be assigned to a teaching position in a corresponding STEM subject area. Selected eligible teachers will receive a \$5,000 incentive award after the completion of each year of full-time teaching experience, up to three consecutive years under the grant, in an eligible school division or school with a satisfactory performance evaluation and a written commitment to return in the same school division for the following school year. The maximum incentive award for each eligible teacher is \$15,000. Eligibility for these incentives shall be determined through an application process whereby school divisions shall apply to the Department of Education. Priority for distribution of these incentives shall be to school divisions experiencing the most acute difficulties in recruiting qualified teachers, as determined using Department of Education criteria. For the purpose of the award of the additional \$1,000 to individuals who received funds under this program prior to July 1, 2018, the criteria provided in Chapter 1, 2018 Acts of Assembly, Special Session I, shall continue to apply through fiscal year 2021. For individuals who received funds under this program prior to July 1, 2020, the criteria provided in Chapter 854, 2019 Acts of Assembly, shall continue to apply. Within the fiscal year, any funds not awarded from this program may be applied toward the other teacher preparation, recruitment, and retention programs under paragraph G.

3. Out of this appropriation, \$415,000 the first year and \$415,000 the second year from the general fund is provided to help school divisions recruit and retain qualified middle-school

mathematics teachers. Within the fiscal year, any funds not awarded from this program may be applied toward the other teacher preparation, recruitment, and retention programs under paragraph G.

4. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is provided for tuition scholarships to be specifically allocated solely for licensed public high school teachers pursuing additional credentialing requirements necessary to be considered faculty who are qualified to teach dual enrollment courses in high schools in their local school division. The Department of Education shall make payments on behalf of the scholarship recipients directly to the *regionally accredited* Virginia institution of higher education where the scholarship recipient is enrolled ~~full-time or part-time in an approved undergraduate or graduate teacher education program~~ *in courses for credit* applicable to dual enrollment course curriculum available for public high school students. The lifetime maximum dual enrollment tuition scholarship award for each approved eligible teacher is \$7,500. Eligibility for access to these dual enrollment tuition scholarship awards shall be determined through an application process whereby school divisions shall apply to the Department of Education. In the application process, the applying school division shall include: i) an explanation of why such dual enrollment tuition scholarship is warranted, ii) the dual enrollment course or courses that shall be offered by the scholarship recipient's high school and taught by the recipient upon the recipient's successful completion of required coursework for appropriate credentialing to teach such dual enrollment courses, and iii) the projected student enrollment in the recipient taught public high school dual enrollment courses. The Department of Education shall compile and report the application information for each applying school division, and shall also report the number of recipients and amount of tuition awarded to each school division, the institution of higher education receiving tuition, the credentialing area pursued by recipients, and dual enrollment courses offered after the recipient's successful completion of the pursued credentialing. The Department shall submit the report by June 30, 2020, and annually thereafter, to the House Committees on Education and Appropriations and the Senate Committees on Finance and Education and Health.

H. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be distributed to the Great Aspirations Scholarship Program (GRASP) to provide students and families in need access to financial aid, scholarships, and counseling to maximize educational opportunities for students.

I. Out of this appropriation, the Department of Education shall provide \$2,004,400 the first year and \$2,004,400 the second year from the general fund to Communities in Schools. These funds shall be used to strengthen and sustain existing programming in Hampton Roads, Northern Virginia, Petersburg, Richmond City, and Southwest Virginia and to expand programming to new schools. Further, Communities in Schools is directed to assist the Community School organization with developing opportunities to establish a Community School program in interested school divisions.

J. Out of this appropriation, the Department of Education shall provide \$962,500 the first year and \$962,500 the second year from the general fund for Project Discovery. These funds are towards the cost of the program in Abingdon, Accomack/Northampton, Alexandria, Amherst, Appomattox, Arlington, Bedford, Bland, Campbell, Charlottesville, Cumberland, Danville/Pittsylvania, Fairfax, Franklin/Patrick, Fredericksburg/Spotsylvania, Goochland/Powhatan, Lynchburg, Newport News, Norfolk, Richmond City, Roanoke City, Smyth, Surry/Sussex, Tazewell, Williamsburg/James City, and Wythe and the salary of a fiscal officer for Project Discovery. The Department of Education shall administer the Project Discovery funding distributions to each community action agency. Distributions to each community action agency shall be based on performance measures established by the Board of Directors of Project Discovery. The contract with Project Discovery should specify the allocations to each local program and require the submission of a financial and budget report and program evaluation performance measures.

2. Each participating community action agency shall submit annual performance metrics for services provided through the Project Discovery program that provide measurable evaluations and outcomes of participating students. Such performance metrics shall include evidenced-based data that effectively measure academic improvement outcomes. In addition, the performance metrics shall also include evidenced-based data to evaluate the specific effectiveness of the program for participating students on a longitudinal basis. Further, the performance metrics shall include the coordination and collaboration efforts the program staff regularly have with the school-based personnel, such as teachers and guidance counselors, that support and maximize opportunities of participating students to successfully graduate from high school and then to enroll and graduate from an institution of higher learning. Project Discovery shall submit a comprehensive and cumulative program performance metrics evaluation to the Department of Education no later than October 1 each year.

K. Out of this appropriation, the Department of Education shall provide \$300,000 the first year and \$300,000 the second year from the general fund for the Virginia Student Training and Refurbishment Program.

L. Out of this appropriation, \$1,598,000 the first year and \$1,598,000 the second year from the general fund is provided to expand the number of schools implementing a system of positive behavioral interventions and supports with the goal of improving school climate and reducing disruptive behavior in the classroom. Such a system may be implemented as part of a tiered system of supports that utilizes evidence-based, system-wide practices to provide a response to academic and behavioral needs. Any school division which desires to apply for this competitive grant must submit a proposal to the Department of Education by June 1 preceding the school-year in which the program is to be implemented. The proposal must define student outcome objectives including, but not limited to, reductions in disciplinary referrals and out-of-school suspension rates. In making the competitive grant awards, the Department of Education shall give priority to school divisions proposing to serve schools identified by the Department as having high suspension rates. No funds awarded to a school division under this grant may be

used to supplant funding for schools already implementing the program.

M. Targeted Extended/Enriched School Year and Year-round School Grants Payments

1. Out of this appropriation, \$7,150,000 the first year and \$7,150,000 the second year from the general fund is provided for a targeted extended/enriched school year or year-round school incentive in order to improve student achievement. Annual start-up grants of up to \$300,000 per school may be awarded for a period of up to two years after the initial implementation year. The per school amount may be up to \$400,000 in the case of schools that have an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators, or schools that had an Accredited with Conditions status and were rated at Level Three in two or more Academic Achievement for All Students school quality indicators when the initial application was made. Schools that qualified for the per school grant up to \$400,000 under the previous Standards of Accreditation Denied Accreditation status remain eligible for funding for the initial three year period; after that period, such schools are subject to eligibility under the current Standards of Accreditation. After the third consecutive year of successful participation, an eligible school's grant amount shall be based on a shared split of the grant between the state and participating school division's local composite index. Such continuing schools shall remain eligible to receive a grant based on the 2012 JLARC Review of Year Round Schools' researched base findings.
2. Except for school divisions with schools that are in an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators or in a Denied Accreditation status, any other school division applying for such a grant shall be required to provide a twenty percent local match to the grant amount received from either an extended/enriched school year or year-round school start-up or planning grant.
3. In the case of any school division with schools that are in an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators or in a Denied Accreditation status that apply for funds, the school division shall also consult with the Superintendent of Public Instruction or designee on all recommendations regarding instructional programs or instructional personnel prior to submission to the local board for approval.
4. Out of this appropriation, \$613,312 the first year and \$613,312 the second year from the general fund is provided for planning grants of no more than \$50,000 each for local school divisions pursuing the creation of new extended/enriched school year or year-round school programs for divisions or individual schools in support of the findings from the 2012 JLARC Review of Year Round Schools. School divisions must submit applications to the Department of Education by August 1 of each year. Priority shall be given to schools based on need, relative to the state accreditation ratings or similar federal designations. Applications shall include evidence of commitment to pursue implementation in the upcoming school year. If balances exist, existing extended school year programs may be eligible to apply for remaining funds.

5. A school division that has been awarded an extended/enriched school year or year-round school start-up grant or planning grant for the development of an extended/enriched school year or year-round school program may spend the awarded grant over two consecutive fiscal years.

6. a) Any such school division receiving funding from a Targeted Extended/Enriched School Year and Year-round School grant shall provide an annual progress report to the Department of Education that evaluates end of year success of the extended/enriched school year or year-round school model implemented as compared to the prior school year performance as measured by an appropriate evaluation matrix no later than September 1 each year.

b) The Department of Education shall develop such evaluation matrix that would be appropriate for a comprehensive evaluation for such models implemented. Further, the Department of Education is directed to submit the annual progress reports from the participating school divisions and an executive summary of the program's overall status and levels of measured success to the Chairmen of House Appropriations and Senate Finance Committees no later than November 1 each year.

7. Any funds remaining in this paragraph following grant awards may be disbursed by the Department of Education as grants to school divisions to support innovative approaches to instructional delivery or school governance models.

N. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is provided through grants or contracts for the cost of fees and financial incentives associated with hiring teachers in challenged schools. These funds may be used for grants or contracts awarded and expenses associated with supporting the Teach for America program. School divisions or their partners may apply for those funds through applications submitted to the Department of Education. Applications must be submitted to the Department of Education by September 1 each year. Within the fiscal year, any unobligated balance may be used for the Teacher Residency program.

O. Out of this appropriation, \$725,000 the first year and \$725,000 the second year from the general fund is provided for the Accomack, Albemarle, Arlington, Chesterfield, Fairfax, Henrico, Loudoun, Norfolk, Petersburg, Richmond, Suffolk, and Wythe Public Schools to continue or initiate STEM and early literacy model programs for preschool, kindergarten, and first grade students. The model will also support growth in the 5C skills identified in the Profile of a Virginia Graduate. Within this appropriation, funds may support further expansion in rural divisions from Regions 3, 6, or 8, based on need. Each developed model will focus on enhancing children's learning experiences through the arts.

P. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is provided for the Achievable Dream partnership with Newport News School Division.

Q. Out of this appropriation, \$1,750,000 the first year and \$1,750,000 the second year from the general fund is provided for grants for teacher residency partnerships between university teacher preparation programs and the Petersburg, Norfolk, and Richmond City school divisions and any other university teacher preparation programs and hard-to-staff school divisions to help improve new teacher training and retention for hard-to-staff schools. The grants will support a site-specific residency model program for preparation, planning, development and implementation, including possible stipends in the program to attract qualified candidates and mentors. Applications must be submitted to the Department of Education by August 1 each year.

Partner school divisions shall provide at least one-third of the cost of each program and shall provide data requested by the university partner in order to evaluate program effectiveness by the mutually agreed upon timelines. Each university partner shall report annually, no later than June 30, to the Department of Education on available outcome measures, including student performance indicators, as well as additional data needs requested by the Department of Education. The Department of Education shall provide, directly to the university partners, relevant longitudinal data that may be shared. The Department of Education shall consolidate all submissions from the participating university partners and school divisions and submit such consolidated annual report to the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1 each year.

R. Out of this appropriation, \$60,300 the first year and \$60,300 the second year from the general fund is provided to the Northern Neck Regional Technical Center to expand the workforce readiness education and industry based skills and certification development efforts supporting that region in the state. These funds support the Center's programs that serve high school students from the surrounding counties of Essex, Lancaster, Northumberland, Rappahannock, Westmoreland and Colonial Beach.

S. Out of this appropriation, \$6,250,000 the first year and \$6,250,000 the second year from the general fund is provided to the Virginia Early Childhood Foundation.

1. Of this amount, \$250,000 the first year and \$250,000 the second year is provided for general operations of the Foundation's grant program to strengthen the capacity of local communities to promote school readiness for young children through innovative regional partnerships.

2. Of this amount, \$1,000,000 the first year and \$1,000,000 the second year is provided to operate a scholarship program to increase the skills of Virginia's early education workforce.

3. Of this amount, \$5,000,000 the first year and \$5,000,000 the second year from the general fund is provided for a pilot initiative to support public-private delivery of pre-kindergarten services for at least 500 at-risk three- and four-year-old children each year. Programs must provide full-day or half-day and, at least, school-year services.

- a) The Department of Education shall establish academic standards that are in accordance with appropriate preparation for students to be ready to successfully enter kindergarten. These standards shall be established in such a manner as to be measurable for student achievement and success. Students shall be required to be evaluated in the fall and in the spring by each participating provider and grantees must certify that the Virginia Preschool Initiative standards are followed in order to receive the funding for quality preschool education and criteria for the service components. Such standards shall align with the Virginia Standards of Learning for Kindergarten.
- b) The Department of Education shall require and ensure that all participating classrooms have the quality of their teacher-child interactions assessed through a rigorous and research-based observation instrument at least once every two years.
- c) Any locality that desires to participate in this grant program must submit a proposal each year to the Virginia Early Childhood Foundation. For the first year, the application must be submitted by August 15. For subsequent years, the application must be submitted by May 15 to align with the Virginia Preschool Initiative timeline. Each application shall identify a lead agency for this program within the locality. The lead agency shall be responsible for developing a local plan for the delivery of quality preschool services to at-risk three- and four-year-old children in private settings that demonstrates the coordination of resources and the combination of funding streams in an effort to serve the greatest number of at-risk children.
- d) The proposal must demonstrate: (i) coordination with all parties necessary for the successful delivery of comprehensive services, including schools, child care providers, local social services agencies, Head Start, local health departments, and other groups identified by the lead agency, (ii) a plan for supporting inclusive practices for children with identified special needs, and (iii) a plan to transition the pilot into a sustainable program that is supported with a similar level of state support as Virginia Preschool Initiative slots.
- e) Local plans must indicate the number of at-risk three- and four-year-old children to be served, and the eligibility criteria for participation in this program shall be consistent with the economic and educational risk factors stated in the current program guidelines that are specific to: (i) family income at or below 200 percent of federal poverty guidelines, (ii) homelessness, (iii) student's parents or guardians are school dropouts, or (iv) family income is above 200 percent but at or below 350 percent of federal poverty guidelines in the case of students with special needs or disabilities. Up to 15 percent of slots may be filled based on locally established eligibility criteria so as to meet the unique needs of at-risk children in the community.
- f) Notwithstanding any provisions of § 22.1-299, Code of Virginia, and in order to achieve the priorities of the Joint Subcommittee on Early Childhood Care and Education for exploring the feasibility of and barriers to mixed delivery preschool systems in Virginia, recipients of a Mixed-Delivery Preschool grant shall be provided maximum flexibility within their respective pilot initiative in order to fully implement the associated goals and objectives of the pilot.

Recipients of a Mixed-Delivery Preschool grant and divisions participating in such grant pilot activities shall be exempted from all regulatory and statutory provisions related to teacher licensure requirements and qualifications when paid by public funds within the confines of the Mixed-Delivery Preschool pilot initiative.

g) Children served by the pilots shall be assigned student identification numbers as provided in § 22.1-287.03 B of the Code of Virginia to evaluate pilot program outcomes and to permit comparison with Virginia Preschool Initiative outcomes.

h) Pilot providers shall provide information to the Department of Education as necessary to fulfill the reporting requirement established.

T. This appropriation includes \$500,000 the first year and \$500,000 the second year from the general fund to support ten competitive grants, not to exceed \$50,000 each, for planning the implementation of systemic Elementary, Middle, and/or High School Program Innovation by either individual school divisions or consortia of school divisions or implementing a plan for public pre-kindergarten through Grade 12 School Program Innovation previously approved by the Department of Education. The local applicant(s) selected to conduct this systemic approach to school reform, in consultation with the Department of Education, will develop and plan or implement innovative approaches to engage and to motivate students through personalized learning and instruction leading to demonstrated mastery of content, as well as skills development of career readiness. Essential elements of school innovation include: (1) student centered learning, with progress based on student demonstrated proficiency; (2) 'real-world' connections that promote alignment with community work-force needs and emphasize transition to college and/or career; and (3) varying models for educator supports and staffing. Individual school divisions or consortia will be invited to apply on a competitive basis by submitting a grant application that includes descriptions of key elements of innovations, a detailed budget, expectations for outcomes and student achievement benefits, evaluation methods, and plans for sustainability. The Department of Education will make the final determination of which individual school divisions or consortia of divisions will receive the year-long planning grant for public pre-kindergarten through Grade 12 School Innovation or a grant to implement an Elementary, Middle, and/or High School Program Innovation plan previously approved by the Department of Education. Any school division or consortium of divisions which desires to apply for this competitive grant must submit a proposal to the Department of Education by June 1 preceding the school year in which the planning or implementation for systemic school innovation is to take place.

U. Out of this appropriation, \$100,000 the first year from the general fund is provided to support the Newport News Aviation Academy's four-year high school STEM program, which focuses on piloting, aircraft maintenance, engineering, computers, and electronics.

V. Out of this appropriation, \$15,000 the first year and \$15,000 the second year is provided for grants to school divisions of up to \$5,000 each to explore alternative teacher compensation

approaches that move away from tenure-based step increases toward compensation systems based on teacher performance and student progress. Priority will be given to school divisions that have not previously explored alternative compensation approaches and have schools not achieving full accreditation, or that have high numbers of at-risk students needing qualified teachers in hard-to-staff subjects.

W. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund is provided for STEM Competition Team Grants. Notwithstanding § 22.1-362, Code of Virginia, Paragraph B, grants may not exceed \$5,000 each.

X. Out of this appropriation, \$681,975 the first year and \$681,975 the second year from the general fund is provided to support a multi-platform STEM education engagement program and research study, via the Virginia Air & Space Center.

Y. Out of this appropriation, \$350,000 the first year and \$350,000 the second year from the general fund is provided for executive leadership incentives in the Petersburg City Public Schools to strengthen the impact of division and school level executive leadership on student achievement in the school division. Such incentives may include, but not be limited to, supplements to locally funded salaries, deferred salary compensation, bonuses, housing and commuting supplements, and professional development supplements. The Department of Education shall provide such executive management incentive payments directly to the Petersburg City Public Schools accounts pursuant to a Memorandum of Understanding entered into between the Board of Education and the Petersburg City School Board, which shall cover no less than both years of the biennium and may be amended with the consent of both parties. Such Agreement shall include operational and student achievement metrics and include provisions for the achievement of such metrics as a condition of payment of the incentive funds by the Department of Education. The Department of Education shall provide updates on the Agreement to the Chairmen of the Senate Finance and House Appropriations Committees.

Z. Out of this amount, \$600,000 the first year and \$600,000 the second year from the general fund shall be reserved for school divisions to partner with the Virginia Reading Corps program. The implementation partner shall determine and select partner school divisions. The Virginia Reading Corps shall report annually to the school divisions and Department of Education on the outcomes of this program.

AA. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund is provided for Chesterfield County Public Schools to partner and plan with Virginia State University for the continued development of a College Partnership Laboratory School in support of Ettrick Elementary School.

BB. Out of this appropriation, \$175,000 the first year from the general fund is provided to establish a Career and Technical Education Vocational Laboratory pilot that will be located within the Virginia Aviation Academy located in the Newport News school division. This

vocational-based lab will be developed and focused on advanced, augmented and virtual reality related education.

CC. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund is provided for praxis assistance and Virginia Communication and Literacy Assessment assistance for provisionally licensed minority teachers seeking full licensure in Virginia. Grants of up to \$10,000 shall be awarded to school divisions, teacher preparation programs, or nonprofit organizations in all regions of the state to subsidize test fees and the cost of tutoring for provisionally licensed minority teachers seeking full licensure in Virginia.

DD. Out of this appropriation, \$391,000 the first year and \$391,000 the second year from the general fund is provided to school divisions to pay for a portion of the vision screening of students in kindergarten, grade two or three and grades seven and ten, pursuant to Chapter 312, 2017 Session Acts of Assembly. Eligible school divisions may receive the state's share of \$7.00 for each student reported in average daily membership and enrolled in kindergarten, grades three, seven and ten and who has received such vision screening test. The Department of Education shall administrator and distribute reimbursements to school divisions and the funding shall be prorated if needed, such that the appropriation is not exceeded. Prioritization shall be given the schools that would most benefit from state assistance in order to provide such vision screening service to students that are eligible for free lunch.

EE. Out of this appropriation, \$660,000 the first year and \$660,000 the second year from the general fund is provided for annual grants of \$60,000 to each of the nine regional career and technical centers, Winchester Public Schools' Innovation Center and Norfolk Public Schools' Norfolk Technical Center, to expand workforce readiness education and industry based skills.

FF. 1. Out of this appropriation, \$550,000 the first year and \$550,000 the second year from the general fund is provided to CodeVA for the development, marketing, and implementation of high-quality and effective computer science training and professional development activities for public school teachers throughout the Commonwealth for the purpose of improving the computer science literacy of all public school students in the Commonwealth using the Computer Science Standards of Learning For Virginia Public Schools, which were reviewed and endorsed by the Virginia Board of Education in November 2017. The provided funds may be utilized for planning, preparing and materials needed for teacher training sessions provided during the biennium.

2. CodeVA shall report, no later than October 1, each year to the Chairmen of the House Education and Senate Education & Health Committees, Secretary of Education and the Superintendent of Public Instruction on its activities in the previous year to support computer science teacher training and curriculum development, including on collaboration with other stakeholders to avoid duplication of efforts.

GG. Out of this appropriation, \$1,000,000 the first year from the general fund is provided to the

American Civil War Museum to support the advancement of experiential learning opportunities for K-12 students. These funds are intended to support high-quality, off-site learning experiences for students to engage in educational content, aligned to Virginia's Standards of Learning, related to the history of the American Civil War.

HH. Out of this appropriation, \$1,300,000 the first year from the general fund is provided to the Black History Museum and Cultural Center of Virginia to support the advancement of experiential learning opportunities for K-12 students. These funds are intended to support high-quality, off-site learning experiences and traveling exhibitions for students to engage in educational content, aligned to Virginia's Standards of Learning, related to African American History.

II. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund is provided to the Western Virginia Public Education Consortium. Funds shall be used to support the consortium's annual job fair and professional development conferences for teachers and administrators from the consortium's 23 member local school divisions.

JJ. To strengthen quality and reduce turnover in hard-to-serve preschool classrooms, \$3,000,000 the first year and \$5,000,000 the second year from the general fund shall be used to supplement the Early Childhood Educator Incentive created through the Preschool Development Grant Birth to Five. The Virginia Department of Education shall set the specific guidelines for the program and funds.

KK. Out of this appropriation, \$250,000 the first year from the general fund shall be provided for grants to school divisions to encourage active learning for students in pre-kindergarten through the second grade. School divisions seeking to apply for this grant shall submit a proposal to the Department of Education outlining the intended use of funds and a projected number of students to be served. The Department shall establish criteria for awarding these funds. The funds may be used to purchase a platform featuring on-demand adventures that transform math and English Standards of Learning content into movement-rich activities. The Department of Education shall summarize the grants awarded, identifying the recipient school divisions, intended use of funds, and number of students served. Such summary shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020.

LL. Out of this appropriation, \$500,000 each year from the general fund is provided to Blue Ridge PBS for educational outreach programming.

MM. Out of this appropriation, \$100,000 the first year from the general fund is provided for the Bonder and Amanda Johnson Community Development Corporation for programming and outreach efforts.

NN. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the

general fund is provided for the Brooks Crossing Innovation and Opportunity Center in Newport News to purchase industry-related equipment, training simulators and software to support career training, wealth building, and individual casework.

OO. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is provided to the Chesterfield County School Board to assist with establishing a recovery high school as a year-round high school with enrollment open to any high school student residing in Superintendent's Region 1 who is in the early stages of recovery from substance use disorder or dependency. Students in the high school will be provided academic, emotional, and social support needed to progress toward earning a high school diploma and reintegrating into a traditional high school setting. The Chesterfield County School Board shall submit a report regarding the planning, implementation, and outcomes of the recovery high school to the Chairs of the House Appropriations and Senate Finance and Appropriations Committee by December 1 each year.

PP. Out of this appropriation, \$250,000 the first year from the general fund is provided to Winchester Public Schools for one-time support for furniture and equipment for the renovated Emil and Grace Shihadeh Innovation Center.

QQ. Out of this appropriation, \$300,000 the first year from the general fund is provided for a fellowship program administered by the Literacy Lab to place recent high-school graduates of a minority background new to the field of education in VPI or Head Start classrooms of participating local school divisions or community-based early childhood centers to provide evidence based literacy support to at-risk pre-kindergarten students. Such a program must provide training, coaching, and professional development to the fellowship participants, place fellowship participants for at least 800 paid hours within a pre-kindergarten classroom during a school year, work to diversify the educator pipeline, and assist fellowship participants in understanding the teacher education and licensure process in Virginia. Literacy Lab shall partner with school divisions or community-based early childhood centers in Richmond and Portsmouth. Literacy Lab shall report by August 1, 2021 to the Chairs of the House Education and Senate Education and Health Committees, Secretary of Education, and the Superintendent of Public Instruction on its activities to provide training, coaching, and professional development to the fellowship participants, including collaboration with school division partners and community-based early childhood centers, and provide metrics on the success of participants entering the educator pipeline either through employment or a teacher preparation program.

RR. Out of this appropriation, \$90,000 the first year from the general fund is provided to Newport News Public Schools for the Soundscapes social intervention programs.

SS. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund is provided to support pilot-public partnerships between local school divisions and the Greater Richmond and Central Virginia affiliates of the Virginia Alliance of YMCAs to

expand student participation opportunities in existing summer Power Scholars Academies in such partnered school divisions."

Explanation:

(This amendment sets out Item 144 and adds clarifying language, in Paragraph G.4., that the Dual Enrollment Tuition Scholarships Grant funds are for teachers taking courses applicable toward meeting dual enrollment teaching requirements. The current language requires enrollment in a teacher preparation program, which is not applicable for teachers seeking to teach dual enrollment courses. The Department of Education recommended this change to the General Assembly in RD228 - Report on Dual Enrollment Tuition Scholarships Grant Program.)

	Item 145 #1s	
Education	FY20-21	FY21-22
Direct Aid to Public Education	\$95,300,000	\$0 NGF

Language:

Page 36, line 5, strike "\$7,732,305,702" and insert "\$7,827,605,702".
Page 73, after line 27, insert:

"43. COVID-19 Local Relief Payments

a. Out of this appropriation, an amount estimated at \$95,300,000 the first year from the COVID-19 Relief Fund, established in § 2.2-115.1., Code of Virginia shall be distributed to local school divisions as COVID-19 Local Relief payments in support of the Standards of Quality.

b. Notwithstanding § 2.2-115.1., Code of Virginia, the State Comptroller shall distribute the COVID-19 Local Relief payments in the first year based on the net reduction of state funds apportioned to school divisions in this item. The distribution shall be made in monthly payments at the end of each month. Certification of payments and distribution shall be made by the State Comptroller.

c. For the purposes of calculating Required Local Expenditure as defined in this Item, COVID-19 Local Relief payments shall be counted as a credit toward the local share of the costs of the Standards of Quality in the first year."

Explanation:

(This amendment provides \$95.3 million the first year from the COVID-19 Relief Fund, established in § 2.2-115.1., Code of Virginia, to be disbursed to local school divisions as COVID-19 Local Relief payments in support of the Standards of Quality. These payments will be distributed to local school divisions based on the net reduction of state funds apportioned to school divisions in this item and counted as a credit toward the local share of the costs of the Standards of Quality in the first year.)

Item 293.10 #1s

Health and Human Resources

Children's Services Act

Language

Language:

Page 108, line 7, unstrike "293.10" and insert:

"No community policy management team receiving and disbursing funds under the Children's Services Act to pay for a student's placement in a private school serving students with disabilities shall reduce, unless mutually agreed upon, any previously agreed upon daily or monthly rate for the 2020-21 school year as long as the student's placement is in a private school serving students with disabilities that is continuing to provide a free and appropriate public education. Full or partial transition to remote learning or telehealth services due to a pandemic or declaration of a public health emergency by the Governor shall not be considered grounds for reducing a previously agreed upon daily or monthly rate or terminating or voiding a contract or purchase service order, nor shall it be grounds for amending a previously agreed upon individualized education plan (IEP) for a student with disabilities."

Explanation:

(This amendment adds language prohibiting the reduction of private day school rates for students with disabilities due to the use of remote learning or telehealth services during a pandemic or declared public health emergency.)

Item 299 #1s

Health and Human Resources

Department of Health

Language

Language:

Page 109, after line 3, insert:

"I. The State Health Commissioner shall ensure that residents and employees of any nursing home or assisted living facility receive first priority for any testing indicating the existence of the COVID-19 virus in the Commonwealth. The Commissioner shall make available public

health testing, if necessary, in order to ensure that nursing homes or assisted living facilities have access to testing that can provide the most rapid results in order to prevent or contain outbreaks of COVID-19. Such testing shall be provided, as needed, by the Division of Consolidated Laboratory Services or other public health testing agencies of the Commonwealth. Any testing costs through the public health system for employees or residents of nursing homes or assisted living facilities may be billed to responsible third-parties."

Explanation:

(This amendment provides for residents and employees of nursing facilities or assisted living facilities to have priority in testing for COVID-19 to help prevent or contain outbreaks in such long-term care facilities, where the most vulnerable and fatal impacts from COVID-19 have occurred to date. Item 299 will be set out during the enrolling process.)

Item 312 #1s			
Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	(\$3,111,848)	(\$4,210,186)	GF
Services	(\$7,276,560)	(\$7,818,918)	NGF

Language:

Page 110, line 33, strike "\$251,771,102" and insert "\$241,382,694".
 Page 110, line 32, strike "\$270,236,306" and insert "\$258,207,202".

Explanation:

(This amendment captures savings in the Family Access to Medical Insurance Security (FAMIS) program from lower managed care rates that took effect on July 1, 2020. Rates for the Medallion 4.0 program decreased 5.49 percent for base Medicaid and 5.72 percent for expansion Medicaid.)

Item 313 #1s			
Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	(\$56,144,433)	(\$73,451,682)	GF
Services	(\$56,144,433)	(\$73,451,682)	NGF

Language:

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,246,511,910".
 Page 111, line 27, strike "\$17,137,554,276" and insert "\$16,990,650,912".

Explanation:

(This amendment captures savings in the Medicaid program from lower managed care rates that

took effect on July 1, 2020. Rates for the Medallion 4.0 program decreased 5.49 percent for base Medicaid and 5.72 percent for expansion Medicaid. For the Commonwealth Coordinated Plus program the rates declined 0.12 percent for base Medicaid and 0.39 percent for expansion Medicaid.)

Item 313 #2s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

"MMMMM. The Department of Planning and Budget shall transfer from Item 317 to this Item an appropriation necessary to cover the administrative costs for managed care organizations to implement the live-in caretaker exemption required pursuant to Senate Bill 5116 approved in the 2020 Special Session I."

Explanation:

(This amendment directs the Department of Planning and Budget to transfer appropriation from the Department of Medical Assistance Services (DMAS) administrative budget the funds necessary to adjust the administrative portion of the managed care capitation rates to reflect the increase in administrative costs for providing a live-in caretaker exemption to the electronic visit verification requirement pursuant to Senate Bill 5116. DMAS' administrative budget has sufficient funding to cover these costs.)

Item 313 #3s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services (DMAS) shall modify the disbursement methodology for the State's allocation of federal CARES Act funding to nursing facilities and assisted living facilities to define eligible costs for reimbursement from this funding as COVID-related costs incurred since March 12, 2020, or as far back as the CARES Act allows."

Explanation:

(This amendment directs the Department of Medical Assistance Services to modify the disbursement rules for the \$20 million in state-allocated CARES Act funding for assisted living

facilities and approximately \$33 million in state-allocated CARES Act funding for nursing facilities to remove an impediment to providers' access to these funds. The current limit on only using incurred costs from July 1, 2020 forward leaves substantial unreimbursed COVID-costs from the inception of the crisis for both assisted living and nursing facilities being excluded from reimbursement.)

Item 313 #4s

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	(\$625,000)	(\$2,500,000)	GF
Services	\$625,000	\$2,500,000	NGF

Language:

Page 112, line 32, strike "\$472,802,840" and insert "\$473,427,840".
 Page 112, line 33, strike "\$486,936,557" and insert "\$489,436,557".

Explanation:

(This amendment reflects the additional revenue estimated at \$625,000 the first year and \$1.5 million the second year from the Other Tobacco Products tax through the application of nexus standards for out-of-state dealers. The introduced budget for the Special Session included language clarifying the policy but did not include a revenue estimate. In addition, revenue of \$1.0 million the second year is assumed for the provision included in the introduced budget applying the tobacco products tax to heated tobacco products at a rate of 2.25 cents per stick beginning January 1, 2021. The introduced budget assumed no additional revenue from this policy change. This amendment captures the revenue, which is deposited to the Health Care Fund that supports the state match for Medicaid. Therefore, the increase in revenue offsets state general funds that are otherwise required to fund the Medicaid program.)

Item 313 #5s

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	\$0	(\$7,093,377)	GF
Services	\$0	(\$7,093,377)	NGF

Language:

Page 111, line 27, strike "\$17,137,554,276" and insert "\$17,123,367,522".

Explanation:

(This amendment redirects \$7.1 million the second year from the general fund provided in the 2020 Session for 350 developmental disability (DD) waiver slots in fiscal year 2022 to fund an increase in provider rates. The COVID-19 pandemic has placed additional stress on DD waiver

providers. The rate increase approved in the 2020 Session was unallotted in April and then eliminated in the Governor's proposed budget for the Special Session. The dual impact of these actions make a provider rate increase necessary to ensure the viability of DD waiver providers. The General Assembly will have the opportunity to reconsider funding for these waiver slots in the 2021 Session. A separate amendment in Central Appropriations directs funding, contingent on additional state general fund revenue above the forecast, for the 350 waiver slots.)

Item 313 #6s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 144, line 26, after "IIIII." insert "1."

Page 144, line 26, after "Effective", strike "January" and insert "July".

Page 144, after line 45, insert:

"2. The Department of Planning and Budget shall have the authority to transfer appropriation from Item 317 to Item 316 in this act, as needed, to fund the administrative costs of implementing the new Medicaid dental benefit for adults if the existing appropriation in item 316 is insufficient."

Explanation:

(This amendment changes the effective date of the new Medicaid adult dental benefit from January 1, 2021 to July 1, 2021, to reflect the restoration of funding, which is included in a separate amendment in Item 482.20. In addition, budget language is added to provided authority to move funding from the administrative program of the agency to cover the increased costs of the dental benefits administrator related to the new dental benefit.)

Item 313 #7s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 141, line 55, after "Effective,", strike "July 1, 2020" and insert "January 1, 2021".

Explanation:

(This amendment changes the effective date for the allowance of overtime by consumer-directed personal care attendants from July 1, 2020 to January 1, 2021 to reflect the restoration of funding for this policy change in a separate amendment to Item 482.20.)

Item 313 #8s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 137, line 2, after "July 1," strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date from July 1, 2020 to July 1, 2021 for the elimination of the 40 quarter work requirement for lawful permanent residents to qualify for Medicaid to reflect the restoration of funding for this policy change in the second year, which is reflected in a separate amendment to Item 482.20.)

Item 313 #9s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 138, line 20, after "Effective July 1," strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date for the increase in Medicaid developmental disability provider rates from July 1, 2020 to July 1, 2021 to reflect the partial restoration of funding in the second year for the rate change, which is included in a separate amendment to Item 482.20.)

Item 313 #10s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 139, line 55, after "July 1," strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date from July 1, 2020 to July 1, 2021 for the limitation on Medicaid managed care reimbursement for durable medical equipment to reflect the restoration of funding for this policy change in the second year, which is included in a separate

amendment to Item 482.20.)

Item 313 #11s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 141, line 21, after "July 1,", strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date for the increase in Medicaid rates for anesthesiologists from July 1, 2020 to July 1, 2021 to reflect the restoration of funding for this rate change, which is included in a separate amendment to Item 482.20.)

Item 313 #12s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 141, line 50, after "July 1,", strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date for the rate increase for skilled and private duty nursing services in Medicaid from July 1, 2021 to July 1, 2021 to reflect the partial restoration of funding included in a separate amendment in Item 482.20.)

Item 313 #13s

Health and Human Resources

FY20-21

FY21-22

Department of Medical Assistance
Services

\$11,152,785
\$11,152,785

\$0 GF
\$0 NGF

Language:

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,381,106,346".

Page 145, line 14, after "effective", strike "for the period of the" and insert "until June 30, 2021".

Page 145, line 15, strike "Governor's Declaration of a State of Emergency due to COVID-19".

Explanation:

(This amendment adds \$11.2 million from the general fund and \$11.2 million in matching federal Medicaid funds to extend the \$20 per day add-on to Medicaid nursing and specialized care facility rates to June 30, 2021, to provide stability to the nursing home industry during the COVID-19 crisis. The funding includes the estimated cost of the \$20 a day for the last quarter of fiscal year 2021 and assumes the prior costs are included in the 2020 Official Medicaid Forecast.)

Item 313 #14s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 132, strike lines 24 through 27, and insert:

"9. The Department of Planning and Budget shall create a new Service Area in this Item for Program 45600, appropriately named, and transfer the appropriation included in this Item for graduate medical education residency slots to this new service area. The appropriation in the new service area shall be excluded from the Official Medicaid Forecast."

Explanation:

(This amendment creates a new service area to account for the funding provided to hospitals to support graduate medical residency slots. It also directs the Department of Planning and Budget to transfer \$3.1 million the first year and \$3.9 million the second year to the new service area. Language clarifies that this appropriation in this new service area is not included as part of the Official Medicaid Forecast.)

Item 313 #15s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services shall submit a request to amend its 1915(c) Home and Community-Based Services (HCBS) waivers with an Emergency Preparedness and Response Appendix K to the Centers for Medicare and Medicaid Services to allow telehealth and virtual and/or distance learning for Group Day, Supported Employment and Benefits Planning services for the duration of the Governor's declared state of emergency due to the COVID-19 pandemic. The department shall have the authority to implement this change prior to the completion of the regulatory process."

Explanation:

(This amendment directs the Department of Medical Assistance Services to submit a waiver to the Centers for Medicare and Medicaid Services to allow telehealth and virtual and/or distance learning for Group Day, Supported Employment and Benefits Planning Services for the duration of the Governor's declared state of emergency due to the COVID-19 pandemic. The Appendix K will allow recipients to maintain skills, and to learn new skills including expanded socialization opportunities during the COVID-19 pandemic. Many Group Day programs closed in March 2020 and Supported Employment and Benefits Planning services are being minimally provided because of health and safety concerns.)

Item 315 #1s

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance Services	(\$2,322,022) (\$5,429,678)	(\$3,252,087) (\$6,039,591)	GF NGF

Language:

Page 145, line 30, strike "\$221,663,925" and insert "\$213,912,225".
Page 145, line 29, strike "\$237,496,600" and insert "\$228,204,922".

Explanation:

(This amendment captures savings in the Medicaid Children's Health Insurance Program from lower managed care rates that took effect on July 1, 2020. Rates for the Medallion 4.0 program decreased 5.49 percent for base Medicaid and 5.72 percent for expansion Medicaid.)

Item 320 #1s

Health and Human Resources	FY20-21	FY21-22	
Department of Behavioral Health and Developmental Services	\$116,612 2.00	\$233,224 2.00	GF FTE

Language:

Page 147, line 23, strike "\$123,177,138" and insert "\$123,293,750".
Page 147, line 23, strike "\$110,597,199" and insert "\$110,830,423".

Explanation:

(This amendment provides \$116,612 the first year and \$233,224 the second year from the general fund to the Department of Behavioral Health and Developmental Services for two staff to oversee implementation of a mental health awareness response system pursuant to Senate Bill 5038. Item 320 will be set out during the enrolling process.)

Item 320 #2s

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 147, after line 23, insert:

"HH. Out of this appropriation, \$940,000 the first year and \$940,000 the second year from the general fund shall be provided to Commonwealth Autism Services to assist in coordination of services for people with developmental disabilities in regards to autism assessments and services in Virginia."

Explanation:

(This amendment sets out in language the long-standing passthrough grant that the Department of Behavioral Health and Developmental Services has been providing to Commonwealth Autism Services since fiscal year 2010. This technical language change ensures the department complies with state procurement rules. Item 320, to which this amendment adds a paragraph, will be set out upon enrolling.)

Item 322.10 #1s

Health and Human Resources

Grants to Localities

Language

Language:

Page 148, line 18, unstrike "322.10".

Page 148, line 39, unstrike:

"Notwithstanding the provisions of Chapters 607 and 683, 2017 Acts of Assembly, and."

Page 148, unstrike lines 40 through 44.

Explanation:

(This amendment restores language that was inadvertently stricken in the introduced budget which eliminates the requirement that Community Services Boards and Behavioral Health Authorities increase STEP-VA services beyond those that are funded in Chapter 854, 2019 Acts of Assembly, unless an appropriation is available and an allotment of funds is made. The budget passed in March provided additional funding for outpatient services, peer support services, expanded crisis services and military and veteran’s mental health services through STEP-VA, and when funding was unallotted in April due to the COVID-19 pandemic, language was added eliminating the requirement to proceed with implementation of these services. The introduced budget for the Special Session eliminates funding for these additional services through STEP-

VA.)

Item 356 #1s

Health and Human Resources	FY20-21	FY21-22	
Department of Social Services	\$750,000	\$750,000	NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$61,107,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,957,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$750,000 the first year and \$750,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Cornerstones to provide wrap-around services that solve urgent or on-going requirements for housing, childcare, food or financial assistance that address the needs of families. The contract shall require Cornerstones to report annually on outcomes."

Explanation:

(This amendment provides \$750,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Cornerstones, a human services agency, to support their wrap-around services to families in Northern Virginia.)

Item 356 #2s

Health and Human Resources	FY20-21	FY21-22	
Department of Social Services	\$250,000	\$250,000	NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$60,607,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,457,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Portsmouth Volunteers for the Homeless to provide wrap-around services for homeless individuals."

Explanation:

(This amendment provides \$250,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Portsmouth Volunteers for the Homeless to support wrap-around services for homeless individuals.)

Item 356 #3s

Health and Human Resources	FY20-21	FY21-22	
Department of Social Services	\$125,000	\$125,000	NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$60,482,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,332,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Menchville House to provide supportive services for homeless individuals."

Explanation:

(This amendment provides \$125,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Menchville House to provide supportive services for homeless individuals.)

Item 356 #4s

Health and Human Resources	FY20-21	FY21-22	
Department of Social Services	\$125,000	\$125,000	NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$60,482,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,332,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Family Restoration Services of Hampton to provide supportive services to families in need."

Explanation:

(This amendment provides \$125,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Family Restoration Services of Hampton to provide supportive services to families in need.)

Item 372 #1s

Natural Resources

Secretary of Natural Resources

Language

Language:

Page 173, strike line 2 through line 9.

Explanation:

(This amendment removes language directing the Secretaries of Natural Resources and Agriculture and Forestry to develop a plan to require landfill operators to pay a solid waste disposal fee.)

Item 373 #1s

Natural Resources	FY20-21	FY21-22	
Department of Conservation and Recreation	\$0	(\$3,825,400)	GF

Language:

Page 173, line 17, strike "\$99,567,156" and insert "\$95,741,756".

Page 176, line 51, strike "\$34,175,400" and insert "\$30,350,000".

Explanation:

(This amendment reflects changes to the amount calculated for a mandatory deposit to the Water Quality Improvement Fund resulting from a correction in the Commonwealth's final balance sheet for fiscal year 2020. A companion amendment to Item 0 corrects the general fund resources and amendment totals resulting from the balance sheet correction.)

Item 374 #1s

Natural Resources

Department of Conservation and Recreation

Language

Language:

Page 177, line 4, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Leisure and Recreation Services (50400)	\$74,050,589	\$73,177,420
Preservation of Open Space Lands (50401)	\$16,650,193	\$16,650,193
Design and Construction of Outdoor Recreational Facilities (50403)	\$894,593	\$894,593
State Park Management and Operations (50404)	\$50,006,739	\$49,873,570

Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)	\$6,499,064	\$5,759,064
Fund Sources:		
General	\$37,572,732	\$36,699,563
Special	\$27,511,003	\$27,511,003
Dedicated Special Revenue	\$3,717,124	\$3,717,124
Federal Trust	\$5,249,730	\$5,249,730

Authority: Title 10.1, Chapters 1, 2, 3, 4, 4.1, and 17; Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5, and 7, Code of Virginia.

A.1. Included in the amounts for Preservation of Open Space Lands is \$10,000,000 the first year and \$10,000,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund, § 10.1-1020, Code of Virginia. No less than 50 percent of the appropriations remaining after the transfer to the Virginia Outdoors Foundation's Open-Space Lands Preservation Trust fund has been satisfied are to be used for grants for fee simple acquisitions with public access or acquisitions of easements with public access. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.

2. Included in the amounts for Preservation of Open Space Lands is \$1,500,000 the first year and \$1,500,000 the second year from nongeneral funds to be deposited into the Virginia Land Conservation Fund to be distributed by the Virginia Land Conservation Foundation pursuant to the provisions of § 58.1-513, Code of Virginia.

3. The Department of Conservation and Recreation and the Virginia Outdoors Foundation shall review the Hayfields Farm property, consisting of approximately 1,034.7 acres more or less in Highlands County, Virginia, Tax Parcel #68A17 and #68A18A, located at 524 Hayfields Lane in McDowell, and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020 on its suitability as a recreational area pursuant to §10.1-200 et. seq., Code of Virginia, for development as a state or regional park. In its review, the agencies shall consider (i) management of the area or park by a combination of public and private entities; (ii) potential user activities at the area or park including but not limited to camping, fishing, hiking, bird watching, equestrian activities, and biking; and (iii) operation of the area or park with only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of the property's conservation values and natural resources.

B. Included in the amounts for Preservation of Open-Space Lands is \$1,752,750 the first year and \$1,752,750 the second year from the general fund and \$1,900,000 the first year and \$1,900,000 the second year from nongeneral funds for the operating expenses of the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia).

C.1. Out of the amounts appropriated for State Parks Management and Operations, up to \$275,000 the first year and \$275,000 the second year from the general fund shall be paid for the operation and maintenance of Breaks Interstate Park.

2. The Breaks Interstate Park Commission shall submit an annual audit of a fiscal and compliance nature of its accounts and transactions to the Auditor of Public Accounts, the Director, Department of Conservation and Recreation, and the Director, Department of Planning and Budget.

3. The Breaks Interstate Park Commission shall, following the modernization of the Breaks Interstate Park electrical system, enter into negotiations to transfer control of the electrical system serving the park to a local regional electric utility.

D. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the State Park Conservation Resources Fund may be used for a program of in-state travel advertising. Such travel advertising shall feature Virginia State Parks and the localities or regions in which the parks are located. To the extent possible the department shall enter into cooperative advertising agreements with the Virginia Tourism Authority and local entities to maximize the effectiveness of expenditures for advertising. The department is further authorized to enter into a cooperative advertising agreement with the Virginia Association of Broadcasters.

E. Upon completion of the construction of the Daniel Boone Wilderness Trail Interpretative Center, the Division of State Parks may accept transfer of the facility, 153 acres of land, and \$450,000 for maintenance of the completed facility for operation as a satellite facility to Natural Tunnel State Park. It is the intent of the General Assembly that at such time as the facility, property, and cash are transferred to the Division of State Parks that positions and ongoing funding for the operation of the satellite facility shall be provided.

F. The department is hereby authorized to enter into an agreement with the non-profit organization that currently owns Natural Bridge to open and operate the facility as a Virginia State Park. Included in the amount for this item is \$376,364 the first year and \$376,364 and five positions from the general fund to increase the operational capacity of Natural Bridge State Park including additional visitor experience, retail, and maintenance functions.

G. Notwithstanding any other provision of the Code of Virginia, as a condition of the expenditure of all amounts included in this item, the department shall not initiate or accept by gift, transfer or purchase with nongeneral funds any new lands for use as a State Park or Natural Area Preserve without a specific appropriation for such purpose by the General Assembly. However, the department is authorized to acquire land as expressly set out in Items C-27 and C-27.10 of Chapter 854, 2019 Acts of Assembly, as well as in-holdings or lands contiguous to an existing State Park or Natural Area Preserve as expressly set out in Items C-40 and C-41 of this act and as provided for in Section 4-2.01 a.1. of this act provided further that acquisitions authorized in Items C-40 and C-41 will not cause the department to incur additional operating expenses. It is not the intent of these provisions to prohibit any acquisitions resulting from mitigation settlements or to prohibit any additional operating expenses resulting from such

acquisitions.

H.1. Included in the amounts for State Park Management and Operations is \$590,944 the first year and \$590,944 the second year and six positions from the general fund for the initial start-up and ongoing operational costs for Phase I of Widewater State Park in Stafford County. It is the intent of the General Assembly that, as soon as practicable upon completion of Phase 1A, that the Department shall provide public access and proceed to regular revenue generating operations at the Park.

2. The Department of Conservation and Recreation shall collaborate with Stafford County Public Schools, the Friends of Widewater State Park and other interested stakeholders regarding the Science and Environmental Center at Widewater State Park planned to be constructed as part of Phase III in order to ensure the facility is adequate to meet the needs of the community, curriculum collaboration opportunities with local schools, and other needs; determine whether any design changes would further community environmental education goals; determine the availability of any grant, charitable or co-funding opportunities with Stafford County and/or Virginia higher educational institutions; determine the feasibility and costs of any design changes or the necessity of any Master Plan changes; and produce recommendations, if any, relating to such objectives.

I. Included in the amount for this item is \$198,752 the first year and \$198,752 the second year and two positions from the general fund to support the limited operation of Seven Bends State Park.

J. Included in the amount for this item is \$150,000 the first year and \$150,000 the second year from the nongeneral fund amounts appropriated in Item 451 A. for recreational access which shall be used to fabricate and install Supplemental Guide Signs for Virginia State Parks.

K. The department is hereby authorized to enter into an agreement with the United States Forest Service that owns the Longdale Day Use Area to operate the facility as the Green Pastures Unit of Douthat State Park, an extension of Douthat State Park.

L. The Department of Conservation and Recreation shall review the Brandy Station and Cedar Mountain properties and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020 on their suitability as a historical and recreational area pursuant to § 10.1-200 et. seq., Code of Virginia, or development as a state or regional park. In its review, the Department shall consider (i) management of the area or park by a combination of public and private entities; (ii) potential user activities at the area or park including heritage tourism, primitive camping, fishing, bow hunting, boating, equestrian activities, biking and historical and military education; and (iii) operation of the area or park with only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of existing historic, cultural, archaeological, and natural resources.

M. Included in the amounts for this item is \$160,800 the first year and \$160,800 the second year and two positions from the general fund to support staffing and operations at Mason Neck State

Park.

N. The Director, Department of Conservation and Recreation, shall assess the feasibility of costs of (i) connecting Mason Neck State Park to a public water supply, and (ii) replacing equipment and providing necessary upgrades to the Park's current well water system. The Director shall report the findings and recommendations of the assessment to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15, 2020.

O. Included in the amount for this item, \$740,000 the first year from the general fund is provided to the City of Danville to develop Riverfront Park. This amount shall be matched by a local appropriation of at least \$740,000 prior to any disbursement from this Item.

P. The Department of Conservation and Recreation shall, no later than November 1, 2021, provide to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations an assessment of the feasibility for development of a linear park along the Shenandoah Valley rail corridor from Front Royal to Broadway, Virginia. The assessment shall include the potential timeline for abandonment of existing Norfolk Southern rail sections B51.0 to B84.0 and CW84.0 to CW99.5, anticipated annual user revenues, and all start-up and ongoing costs of operation as a satellite facility of Seven Bends and Shenandoah State Parks. The Departments of Transportation and Rail and Public Transportation shall provide any technical assistance as may be required in developing the cost assessment."

Explanation:

(This amendment directs the Department of Conservation and Recreation to assess the feasibility of the establishment of a linear park near Seven Bends State Park.)

Item 377 #1s

Natural Resources

Department of Environmental Quality

Language

Language:

Page 179, strike line 49 through line 57 and insert:

"L. The Department shall convene a workgroup of affected stakeholders, including representatives from the regulated industry, local governments and members of the public, to produce recommendations for the Governor and General Assembly regarding the water quality enhancement fee that pursuant to § 62.1-44.15:35 is no longer required to be paid as of September 1, 2020 and Department oversight of nutrient credit use in the Commonwealth. Such recommendations shall be provided to the Governor and General Assembly by December 1, 2020."

Explanation:

(This amendment removes the Governor's proposed continuation of the water quality enhancement fee that expires on September 1, 2020 and directs the creation of a workgroup to provide recommendations for consideration of DEQ programmatic funding needs prior to the 2021 Regular Session.)

Item 378 #1s

Natural Resources

Department of Environmental Quality

Language

Language:

Page 180, line 4, strike "Note set out." and insert:
Amendment drawn to Chapter 1289

"Air Protection (51300)	\$21,472,948	\$22,064,948
Air Protection Permitting (51325)	\$5,415,049	\$5,877,049
Air Protection Compliance and Enforcement (51326)	\$6,189,758	\$6,189,758
Air Protection Outreach (51327)	\$1,262,360	\$1,262,360
Air Protection Planning and Policy (51328)	\$4,040,995	\$4,040,995
Air Protection Monitoring and Assessment (51329)	\$4,564,786	\$4,694,786
Fund Sources:		
General	\$2,530,380	\$3,122,380
Enterprise	\$9,766,599	\$9,766,599
Dedicated Special Revenue	\$5,195,992	\$5,195,992
Federal Trust	\$3,979,977	\$3,979,977

Authority: Title 10.1, Chapters 11.1 and 13; and Title 46.2, Chapter 10, Code of Virginia.

A. The Department of Environmental Quality is authorized to use up to \$300,000 the first year

and \$300,000 the second year from the Vehicle Emissions Inspection Program Fund to implement the provisions of Chapter 710, Acts of Assembly of 2002, which authorizes the department to operate a program to subsidize repairs of vehicles that fail to meet emissions standards established by the Air Pollution Control Board when the owner of the vehicle is financially unable to have the vehicle repaired.

B.1. All of the permit program emissions fees collected by the State Air Pollution Control Board pursuant to § 10.1-1322, Code of Virginia, shall be assessed and collected on an annual basis notwithstanding the provisions of that section. The State Air Pollution Control Board shall adopt regulations adjusting permit program emissions fees collected pursuant to § 10.1-1322, Code of Virginia, and establish permit application processing fees and permit maintenance fees sufficient to ensure that the revenues collected from fees cover the total direct and indirect costs of the program consistent with the requirements of Title V of the Clean Air Act, except that the initial adjustment to permit program emissions fees shall not be increased by more than 30 percent over current rates. Notwithstanding the provisions of § 10.1-1322, Code of Virginia, the permit application fees collected pursuant to this paragraph shall not be credited towards the amount of annual fees owed pursuant to § 10.1-1322, Code of Virginia. All of the fees adopted pursuant to this section shall be adjusted annually by the Consumer Price Index.

2. The State Air Pollution Control Board shall adopt regulations to prohibit the sale, lease, rent, installation or entry into commerce in Virginia of any products or equipment that use or will use hydrofluorocarbons for the applications and end uses restricted by Appendix U and Appendix V of Subpart G of 40 C.F.R. Part 82, as those read on January 3, 2017. *Notwithstanding the foregoing, such regulations shall not prohibit the use of hydrofluorocarbons in the manufacturing process by extruded polystyrene boardstock and billet manufacturers located in Virginia to produce products for sale and distribution outside of the Commonwealth. In developing regulations, the Board shall solicit input from a workgroup of relevant stakeholders assembled by the Department.*

3. The regulations adopted by the State Air Pollution Control Board to initially implement the provisions of this item shall be exempt from Chapter 40 of Title 2.2, Code of Virginia, and shall become effective no later than July 1, 2021. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Chapter 40 of Title 2.2, Code of Virginia.

C. Out of the amounts in this Item, \$84,451 the first year and \$84,451 the second year from the general fund is included for the purchase of laboratory and field equipment through the Commonwealth's Master Equipment Leasing Program.

Explanation:

(This amendment modifies language adopted by the 2020 General Assembly to grandfather existing Virginia-based manufacturers of extruded polystyrene boardstock and billet materials from regulations prohibiting the use of hydrofluorocarbons currently under development by the Department of Environmental Quality.)

Item 383 #1s

Natural Resources

Department of Game and Inland Fisheries

Language

Language:

Page 180, line 37, strike "Not set out." and insert:
Amendment drawn to Chapter 1289

"Administrative and Support Services (59900)	\$10,332,931	\$10,332,931
General Management and Direction (59901)	\$6,983,303	\$6,983,303
Information Technology Services (59902)	\$3,349,628	\$3,349,628
Fund Sources:		
Dedicated Special Revenue	\$8,829,996	\$8,829,996
Federal Trust	\$1,502,935	\$1,502,935

Authority: Title 29.1, Chapter 1, Code of Virginia.

A. The department shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the department.

B. The department shall not further consolidate its regional offices, field offices, or close any of these offices in presently-served localities or enter into any lease for any new regional office without notification of the Chairs of the House Committee on Agriculture, Chesapeake, and Natural Resources and the Chairs of the Senate Committee on Agriculture, Conservation, and Natural Resources. The department shall not undertake any future reorganization of any division, reporting structures, regional or field offices, or any function it may perform without notifying the Chairs of the House Committee on Agriculture, Chesapeake, and Natural Resources, the House Committee on Appropriations, the Senate Committee on Agriculture, Conservation, and Natural Resources, and the Senate Committee on Finance and Appropriations.

C. Funds previously appropriated to the Lake Anna Advisory Committee for hydrilla control and removal may be used at the discretion of the Lake Anna Advisory Committee upon issues

related to maintaining the health, safety, and welfare of Lake Anna.

D.1. Subject to review and approval by the Secretary of Natural Resources, the Director of the Department of Game and Inland Fisheries may issue to the Department of Transportation an interim permit to relocate the nest and eggs of any state listed threatened bird species from critical areas of the Hampton Roads Bridge Tunnel Expansion Project's South Island associated with the ingress and egress to the island; the delivery, assembly, and immediate operations of the tunnel boring machine; or other project critical locations as mutually agreed to by the Commissioner of Highways and the Director, which, if not relocated, would effectively require all substantial construction activities to cease.

2. Prior to the issuance of an interim permit as described in Section 1, (i) the Director must determine that the Department of Transportation and its design-build contractor have taken all reasonable steps to prevent birds from nesting on the South Island, in accordance with the Colonial Nesting Bird Management Plan dated March 27, 2020, (ii) the Commissioner of Highways must determine that substantial construction activities will have to cease if the nest and eggs are not relocated, and (iii) the Director shall require as a condition of the interim permit that the nest and any eggs will be relocated under the supervision of the Department of Game and Inland Fisheries to a location acceptable to the Director that is as close as possible to the original nesting location while allowing construction activities to continue.

3. Within 30 days of the adoption by the Board of Game and Inland Fisheries of any regulation governing the take of migratory birds or threatened and endangered species, the Department of Transportation shall apply for a permit covering such take for the Hampton Roads Bridge-Tunnel expansion project.

4. Any agency that exercises the authority granted in paragraph D.1, or that issues any permit that has an adverse impact on fish and wildlife or their habitat, may require compensatory mitigation for such adverse impact as a condition of issuing the permit:

a. For the purposes of this section, "compensatory mitigation" means addressing the direct and indirect adverse impacts to fish and wildlife and their habitats that may be caused by a construction project by avoiding and minimizing impacts to the extent practicable and then compensating for the remaining impacts:

b. Proposed compensatory mitigation agreements between an agency and a permittee shall be subject to the approval of the Secretary of Natural Resources, and may include environmental restoration projects, purchase of mitigation bank credits, or in-lieu payments to existing state funds related to conservation of fish and wildlife and their habitat."

Explanation:

(This amendment removes language adopted by the Reconvened 2020 Session which provided overly broad authority for agencies within the Natural Resources Secretariat to adopt policies requiring compensatory mitigation agreements outside of the process set out by the

administrative process act.)

	Item 402 #1s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of Corrections	\$1,152,377 6.00	\$411,084 GF 6.00 FTE

Language:

Page 184, line 14, strike "\$180,872,172" and insert "\$182,024,549".

Page 184, line 14, strike "\$185,414,528" and insert "\$185,825,612".

Page 184, line 14, strike: "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: §§ 53.1-1 and 53.1-10, Code of Virginia.

A.1. Any plan to modernize and integrate the automated systems of the Department of Corrections shall be based on developing the integrated system in phases, or modules. Furthermore, any such integrated system shall be designed to provide the department the data needed to evaluate its programs, including that data needed to measure recidivism.

2. The appropriation in this Item includes \$600,000 the first year and \$600,000 the second year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of maintaining and enhancing the offender management system.

B. Included in this appropriation is \$550,000 the first year and \$550,000 the second year from nongeneral funds to be used for installation and operating expenses of the telemedicine program operated by the Department of Corrections. The source of the funds is revenue from inmate fees collected for medical services.

C. Included in this appropriation is \$1,100,000 the first year and \$1,100,000 the second year from nongeneral funds to be used by the Department of Corrections for the operations of its Corrections Construction Unit. The State Comptroller shall continue the Corrections Construction Unit Special Operating Fund on the Commonwealth Accounting and Reporting System to reflect the activities of contracts between the Corrections Construction Unit and (i) institutions within the Department of Corrections for work not related to a capital project and (ii) agencies without the Department of Corrections for work performed for those agencies.

D. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the Director, Department of Corrections, shall receive offenders into the state correctional system from local and regional jails at such time as he determines that sufficient, secure and appropriate housing is available, placing a priority on receiving inmates diagnosed and being treated for HIV, mental illnesses requiring medication, or Hepatitis C. The director shall maximize, consistent with inmate and staff safety, the use of bed space in the state correctional system. The director shall report monthly to the Secretary of Public Safety and Homeland Security and the Department of Planning and Budget on the number of inmates housed in the state correctional system, the number of inmate beds available, and the number of offenders housed in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.

E. Notwithstanding any requirement to the contrary, any building, fixture, or structure to be placed, erected or constructed on, or removed or demolished from the property of the Commonwealth of Virginia under the control of the Department of Corrections shall not be subject to review and approval by the Art and Architectural Review Board as contemplated by § 2.2-2402, Code of Virginia. However, if the Department of Corrections seeks to construct a facility that is not a secure correctional facility or a structure located on the property of a secure correctional facility, then the Department of Corrections shall submit that structure to the Art and Architectural Review Board for review and approval by that board. Such other structures could include probation and parole district offices or regional offices.

F. The Commonwealth of Virginia shall convey 45 acres (more or less) of property, being a portion of Culpeper County Tax Map No. 75, parcel 32, lying in the Cedar Mountain Magisterial District of Culpeper County, Virginia, in consideration of the County's construction of water capacity and service line(s) adequate to serve the needs of the Department of Corrections' Coffeewood Facility and the Department of Juvenile Justice's Culpeper Juvenile Correctional Facility (hereinafter "the facilities"). The cost of the water improvements necessary to serve the facilities, including an eight-inch water service line, and including engineering and land/easement acquisition costs, shall be paid by the Commonwealth, less and except (i) the value of the property for the jail conveyed by the Commonwealth to the County (\$150,382,

based on valuation by the Culpeper County Assessor), and (ii) the cost of increasing the size of the water service line from eight inches to twelve inches, in order to accommodate planned county needs.

G. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Corrections shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

H. The Department of Corrections shall serve as the Federal Bonding Coordinator and shall work with the Virginia Community College System and its workforce development programs and services to provide fidelity bonds to those offenders released from jails or state correctional centers who are required to provide fidelity bonds as a condition of employment. The department is authorized to use funds from the Contract Prisoners Special Revenue Fund to pay the costs of this activity.

I. In the event the Department of Corrections closes a correctional facility for which it has entered into an agreement with any locality to pay a proportionate share of the debt service for the establishment of utilities to serve the facility, the department shall continue to pay its agreed upon share of the debt service, subject to the schedule previously agreed upon.

J. Included in the appropriation for this Item is \$1,000,000 the first year and \$1,000,000 the second year from the general fund for the costs of security technology and hardware for the inmate telephone system.

K. From the appropriation in this Item, \$500,000 the first year and \$500,000 the second year from the general fund shall be used to present seminars on overcoming obstacles to re-entry and to promote family integration in the correctional centers designated for intensive re-entry programs. The department shall submit a report by October 15 of each year to the chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Public Safety and Homeland Security, and the Department of Planning and Budget on the use of this funding.

L. Included in the appropriation for this Item is \$370,125 the first year and \$426,832 the second year from the general fund and four positions to assist the Board of Corrections in carrying out its duties under the authority of § 53.1-69.1, Code of Virginia, to review deaths of inmates in

local correctional facilities.

M.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Director, Department of Corrections, shall implement the recommendations relating to the Department of Corrections made by the Department of Medical Assistance Services in its November 30, 2017 report on streamlining the Medicaid application and enrollment process for incarcerated individuals.

2. For the purpose of implementing these recommendations, included in the appropriation for this item are \$37,400 the first year and \$37,400 the second year from the general fund, and \$420,993 the first year and \$112,200 the second year from nongeneral funds and two positions.

N. By September 1 of each year, the Department of Corrections shall remit data to the Director of the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees regarding medical treatment provided to offenders at each facility. The data shall include, as a proportion of average daily population at each facility, the levels of inmates who received care, including: the specific proportions of inmates from each facility who were treated as inpatients, the specific proportion of inmates from each facility who were treated as outpatients, data on prescription drug administration, and the proportion of inmates from each facility who received other discrete services. When negotiating contracts with healthcare vendors, the Department of Corrections shall include the reporting of data required under this paragraph as a requirement within the contract.

O. The Department of Corrections is authorized to purchase from the Town of Craigsville approximately 122 acres, more or less, located adjacent to the Augusta Correctional Center. In consideration for this acreage, the Department will provide wastewater treatment services to the Town at no cost for a period adequate to equal the value of the property conveyed. The value of the property shall be established by averaging the value of one appraisal provided by the Department of Corrections and one by the Town of Craigsville.

P. The Commonwealth of Virginia shall convey 65 acres of property consisting of Clarke County Tax Map No. 27, new parcel A, situated in the Greenway Magisterial District of Clarke County, Virginia, to the Virginia Port Authority (VPA), on behalf of the Virginia Inland Port (VIP). The VPA, on behalf of the VIP, shall collaborate with representatives of Clarke County to promote the use of the land for economic development purposes. The VIP shall enter into a

memorandum-of-understanding with Clarke County on the development and execution of mutually advantageous economic development proposals.

Q. Included within the appropriation for this item is \$10,807,975 the first year and \$16,217,315 the second year from the general fund and \$7,592,004 the first year and \$1,000,000 the second year from the Contract Prisoners Special Revenue Fund for implementation of an electronic health records system in all facilities.

R. The Department of Corrections shall evaluate and determine the costs for assuming state management of Lawrenceville Correctional Center at the end of the current contract and report on its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 15, 2020. The report shall include an implementation timeline for transitioning from private management to state agency management and propose a structure and cost estimate for the delivery of healthcare services to offenders housed in the facility.

S. Out of this appropriation, \$370,125 the first year and \$426,832 the second year from the general fund is provided for four full-time jail death investigators for the Board of Corrections.

T. Out of this appropriation, \$500,000 the first year from the general fund is provided to contract with third parties for an evaluation of the Department of Corrections' medical services delivery model that may include best practices in correctional healthcare, quality management, and other innovative strategies in creating a more efficient system of providing cost effective and quality healthcare. The department shall provide an update with any findings or recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020.

U. The Department of Corrections shall evaluate options to increase programs that increase hours of exposure to mental health or behavioral health counseling, spiritual counseling, and recreation, for persons in restrictive housing and report its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by January 1, 2021.

V. Included in the appropriation for this Item is \$950,000 the first year from the general fund for the estimated net increase in the operating cost of adult correctional facilities resulting from

the enactment of sentencing legislation as listed below. This amount shall be paid into the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4, Code of Virginia.

1. House Bill 2 and Senate Bill 70 -- \$50,000
2. House Bill 4 and Senate Bill 36 -- \$50,000
3. House Bill 123 and Senate Bill 838 -- \$50,000
4. House Bill 253 -- \$50,000
5. House Bill 298 and Senate Bill 724 -- \$50,000
6. House Bill 557 -- \$50,000
7. House Bill 618 -- \$50,000
8. House Bill 623 -- \$50,000
9. House Bill 666 -- \$50,000
10. House Bill 674 and Senate Bill 240 -- \$50,000
11. House Bill 1004 and Senate Bill 479 -- \$50,000

12. House Bill 1211 -- \$50,000
13. House Bill 1414 and Senate Bill 890 -- \$50,000
14. House Bill 1524 -- \$50,000
15. House Bill 1553 -- \$50,000
16. Senate Bill 14 -- \$50,000
17. Senate Bill 42 -- \$50,000
18. Senate Bill 64 -- \$50,000
19. Senate Bill 439 -- \$50,000

W.1. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, the Director shall, during the duration of the declared emergency, have the authority to (i) discharge from incarceration or (ii) place into a lower level of supervision, including probation supervision, home electronic incarceration, or other forms of community corrections, any prisoner committed to the Department who has less than one year of his sentence remaining to be served prior to his scheduled release if the Director determines that (a) any such discharge or placement during the declared emergency will assist in maintaining the health, safety, and welfare of any prisoner discharged or placed or the prisoners remaining in state correctional facilities and (b) any such discharge or placement is compatible with the interests of society and public safety.

2. The provisions of this section shall not apply to a prisoner convicted of a Class 1 felony or a sexually violent offense as defined in § 37.2-900 of the Code of Virginia.

3. The Director shall develop procedures for implementing the provisions of this section which shall include provisions addressing reentry planning in accordance with § 53.1-32.2 of the Code of Virginia. To the extent practicable, the Director shall comply with all provisions of the Virginia Code relating to providing notice of a prisoner's discharge; however, any failure to comply with such notice provisions shall not affect the Director's authority to discharge a prisoner pursuant to this section.

4. The provisions of this section shall expire on July 1, 2021.

X. Included in the appropriation for this item is \$1,152,377 in the first year and \$411,084 in the second year and six positions from the general fund for the Department to implement the time computation provisions of SB 5034 of the 2020 Special Session I."

Explanation:

(This amendment provides a total of \$1.2 million GF in the first year and \$0.4 million GF in the second year for the Department to update its CORIS system to prepare to implement the earned sentence provisions of SB 5034. \$1.0 million of the funding in the first year is intended to for one-time information technology upgrades necessary to program new sentence earning calculations in CORIS. The additional funding is for the Department to hire 6.0 FTEs to manage the vendor-change process, test the program changes, and calculate earned sentence time and release dates. Item 402 will be set out in enrolling of the bill.)

	Item 402 #2s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of Corrections	\$20,767	\$41,534 GF

Language:

Page 184, line 14, strike "\$180,872,172" and insert "\$180,892,939".
 Page 184, line 14, strike "\$185,414,528" and insert "\$185,456,062".

Explanation:

(This amendment provides funding for the Board of Corrections to hire a part-time jail investigator in support of SB 5017, which will identify more institutions as local correctional facilities requiring Board oversight. Item 402 will be set out in enrolling of the bill.)

	Item 402 #3s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of Corrections	\$50,000	\$0 GF

Language:

Page 184, line 14, strike "\$180,872,172" and insert "\$180,922,172".

Page 184, line 14, strike: "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: §§ 53.1-1 and 53.1-10, Code of Virginia.

A.1. Any plan to modernize and integrate the automated systems of the Department of Corrections shall be based on developing the integrated system in phases, or modules. Furthermore, any such integrated system shall be designed to provide the department the data needed to evaluate its programs, including that data needed to measure recidivism.

2. The appropriation in this Item includes \$600,000 the first year and \$600,000 the second year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of maintaining and enhancing the offender management system.

B. Included in this appropriation is \$550,000 the first year and \$550,000 the second year from nongeneral funds to be used for installation and operating expenses of the telemedicine program operated by the Department of Corrections. The source of the funds is revenue from inmate fees collected for medical services.

C. Included in this appropriation is \$1,100,000 the first year and \$1,100,000 the second year from nongeneral funds to be used by the Department of Corrections for the operations of its Corrections Construction Unit. The State Comptroller shall continue the Corrections Construction Unit Special Operating Fund on the Commonwealth Accounting and Reporting System to reflect the activities of contracts between the Corrections Construction Unit and (i) institutions within the Department of Corrections for work not related to a capital project and (ii) agencies without the Department of Corrections for work performed for those agencies.

D. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the Director, Department of Corrections, shall receive offenders into the state correctional system from local and regional jails at such time as he determines that sufficient, secure and appropriate housing is available, placing a priority on receiving inmates diagnosed and being treated for HIV, mental illnesses requiring medication, or Hepatitis C. The director shall maximize, consistent with inmate and staff safety, the use of bed space in the state correctional system. The director shall report monthly to the Secretary of Public Safety and Homeland Security and the Department of Planning and Budget on the number of inmates housed in the state correctional system, the number of inmate beds available, and the number of offenders housed in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.

E. Notwithstanding any requirement to the contrary, any building, fixture, or structure to be placed, erected or constructed on, or removed or demolished from the property of the Commonwealth of Virginia under the control of the Department of Corrections shall not be subject to review and approval by the Art and Architectural Review Board as contemplated by § 2.2-2402, Code of Virginia. However, if the Department of Corrections seeks to construct a facility that is not a secure correctional facility or a structure located on the property of a secure correctional facility, then the Department of Corrections shall submit that structure to the Art and Architectural Review Board for review and approval by that board. Such other structures could include probation and parole district offices or regional offices.

F. The Commonwealth of Virginia shall convey 45 acres (more or less) of property, being a portion of Culpeper County Tax Map No. 75, parcel 32, lying in the Cedar Mountain Magisterial District of Culpeper County, Virginia, in consideration of the County's construction of water capacity and service line(s) adequate to serve the needs of the Department of Corrections' Coffeewood Facility and the Department of Juvenile Justice's Culpeper Juvenile Correctional Facility (hereinafter "the facilities"). The cost of the water improvements necessary to serve the facilities, including an eight-inch water service line, and including engineering and land/easement acquisition costs, shall be paid by the Commonwealth, less and except (i) the value of the property for the jail conveyed by the Commonwealth to the County (\$150,382,

based on valuation by the Culpeper County Assessor), and (ii) the cost of increasing the size of the water service line from eight inches to twelve inches, in order to accommodate planned county needs.

G. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Corrections shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

H. The Department of Corrections shall serve as the Federal Bonding Coordinator and shall work with the Virginia Community College System and its workforce development programs and services to provide fidelity bonds to those offenders released from jails or state correctional centers who are required to provide fidelity bonds as a condition of employment. The department is authorized to use funds from the Contract Prisoners Special Revenue Fund to pay the costs of this activity.

I. In the event the Department of Corrections closes a correctional facility for which it has entered into an agreement with any locality to pay a proportionate share of the debt service for the establishment of utilities to serve the facility, the department shall continue to pay its agreed upon share of the debt service, subject to the schedule previously agreed upon.

J. Included in the appropriation for this Item is \$1,000,000 the first year and \$1,000,000 the second year from the general fund for the costs of security technology and hardware for the inmate telephone system.

K. From the appropriation in this Item, \$500,000 the first year and \$500,000 the second year from the general fund shall be used to present seminars on overcoming obstacles to re-entry and to promote family integration in the correctional centers designated for intensive re-entry programs. The department shall submit a report by October 15 of each year to the chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Public Safety and Homeland Security, and the Department of Planning and Budget on the use of this funding.

L. Included in the appropriation for this Item is \$370,125 the first year and \$426,832 the second year from the general fund and four positions to assist the Board of Corrections in carrying out its duties under the authority of § 53.1-69.1, Code of Virginia, to review deaths of inmates in

local correctional facilities.

M.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Director, Department of Corrections, shall implement the recommendations relating to the Department of Corrections made by the Department of Medical Assistance Services in its November 30, 2017 report on streamlining the Medicaid application and enrollment process for incarcerated individuals.

2. For the purpose of implementing these recommendations, included in the appropriation for this item are \$37,400 the first year and \$37,400 the second year from the general fund, and \$420,993 the first year and \$112,200 the second year from nongeneral funds and two positions.

N. By September 1 of each year, the Department of Corrections shall remit data to the Director of the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees regarding medical treatment provided to offenders at each facility. The data shall include, as a proportion of average daily population at each facility, the levels of inmates who received care, including: the specific proportions of inmates from each facility who were treated as inpatients, the specific proportion of inmates from each facility who were treated as outpatients, data on prescription drug administration, and the proportion of inmates from each facility who received other discrete services. When negotiating contracts with healthcare vendors, the Department of Corrections shall include the reporting of data required under this paragraph as a requirement within the contract.

O. The Department of Corrections is authorized to purchase from the Town of Craigsville approximately 122 acres, more or less, located adjacent to the Augusta Correctional Center. In consideration for this acreage, the Department will provide wastewater treatment services to the Town at no cost for a period adequate to equal the value of the property conveyed. The value of the property shall be established by averaging the value of one appraisal provided by the Department of Corrections and one by the Town of Craigsville.

P. The Commonwealth of Virginia shall convey 65 acres of property consisting of Clarke County Tax Map No. 27, new parcel A, situated in the Greenway Magisterial District of Clarke County, Virginia, to the Virginia Port Authority (VPA), on behalf of the Virginia Inland Port (VIP). The VPA, on behalf of the VIP, shall collaborate with representatives of Clarke County to promote the use of the land for economic development purposes. The VIP shall enter into a

memorandum-of-understanding with Clarke County on the development and execution of mutually advantageous economic development proposals.

Q. Included within the appropriation for this item is \$10,807,975 the first year and \$16,217,315 the second year from the general fund and \$7,592,004 the first year and \$1,000,000 the second year from the Contract Prisoners Special Revenue Fund for implementation of an electronic health records system in all facilities.

R. The Department of Corrections shall evaluate and determine the costs for assuming state management of Lawrenceville Correctional Center at the end of the current contract and report on its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 15, 2020. The report shall include an implementation timeline for transitioning from private management to state agency management and propose a structure and cost estimate for the delivery of healthcare services to offenders housed in the facility.

S. Out of this appropriation, \$370,125 the first year and \$426,832 the second year from the general fund is provided for four full-time jail death investigators for the Board of Corrections.

T. Out of this appropriation, \$500,000 the first year from the general fund is provided to contract with third parties for an evaluation of the Department of Corrections' medical services delivery model that may include best practices in correctional healthcare, quality management, and other innovative strategies in creating a more efficient system of providing cost effective and quality healthcare. The department shall provide an update with any findings or recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020.

U. The Department of Corrections shall evaluate options to increase programs that increase hours of exposure to mental health or behavioral health counseling, spiritual counseling, and recreation, for persons in restrictive housing and report its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by January 1, 2021.

V. Included in the appropriation for this Item is ~~\$950,000~~ \$1,000,000 the first year from the general fund for the estimated net increase in the operating cost of adult correctional facilities

resulting from the enactment of sentencing legislation as listed below. This amount shall be paid into the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4, Code of Virginia.

1. House Bill 2 and Senate Bill 70 -- \$50,000
2. House Bill 4 and Senate Bill 36 -- \$50,000
3. House Bill 123 and Senate Bill 838 -- \$50,000
4. House Bill 253 -- \$50,000
5. House Bill 298 and Senate Bill 724 -- \$50,000
6. House Bill 557 -- \$50,000
7. House Bill 618 -- \$50,000
8. House Bill 623 -- \$50,000
9. House Bill 666 -- \$50,000
10. House Bill 674 and Senate Bill 240 -- \$50,000
11. House Bill 1004 and Senate Bill 479 -- \$50,000

12. House Bill 1211 -- \$50,000

13. House Bill 1414 and Senate Bill 890 -- \$50,000

14. House Bill 1524 -- \$50,000

15. House Bill 1553 -- \$50,000

16. Senate Bill 14 -- \$50,000

17. Senate Bill 42 -- \$50,000

18. Senate Bill 64 -- \$50,000

19. Senate Bill 439 -- \$50,000

20. *Senate Bill 5030 -- \$50,000*

W.1. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, the Director shall, during the duration of the declared emergency, have the authority to (i) discharge from incarceration or (ii) place into a lower level of supervision, including probation supervision, home electronic incarceration, or other forms of community corrections, any prisoner committed to the Department who has less than one year of his sentence remaining to be served prior to his scheduled release if the Director determines that (a) any such discharge or placement during the declared emergency will assist in maintaining the health, safety, and welfare of any prisoner discharged or placed or the prisoners remaining in state correctional

facilities and (b) any such discharge or placement is compatible with the interests of society and public safety.

2. The provisions of this section shall not apply to a prisoner convicted of a Class 1 felony or a sexually violent offense as defined in § 37.2-900 of the Code of Virginia.

3. The Director shall develop procedures for implementing the provisions of this section which shall include provisions addressing reentry planning in accordance with § 53.1-32.2 of the Code of Virginia. To the extent practicable, the Director shall comply with all provisions of the Virginia Code relating to providing notice of a prisoner's discharge; however, any failure to comply with such notice provisions shall not affect the Director's authority to discharge a prisoner pursuant to this section.

4. The provisions of this section shall expire on July 1, 2021."

Explanation:

(This amendment provides \$50,000 from the general fund in the first year to the Corrections Special Reserve Fund to reflect the estimated impact on utilization of beds in the Commonwealth's adult correctional centers resulting from changes in criminal sentencing pursuant to SB 5030.)

Item 403 #1s			
Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Criminal Justice	(\$195,795)	\$254,191	GF
Services	2.00	2.00	FTE

Language:

- Page 185, line 18, strike "\$6,601,573" and insert "\$6,405,778".
- Page 185, line 18, strike "\$5,563,018" and insert "\$5,817,209".
- Page 186, line 14 strike "\$208,079" and insert "\$124,848".
- Page 186, line 18, strike "94,825" and insert "56,895".
- Page 186, line 26, strike "\$1,504,321" and insert "\$1,363,561".
- Page 186, line 27, strike "five" and insert "six".
- Page 186, line 29, after "academies." insert: "The funding in the first year under this paragraph

includes \$1.0 million for the Department to contract with a third party to develop curriculum and training standards required by the provisions of SB 5030 of the 2020 Special Session I."

Page 186, after line 29 insert:

"K. Included within the appropriation for this Item is \$66,127 in the first year and \$132, 254 in the second year from the general fund and one position to support a data analyst to support the requirements of the Community Policing Act and SB 5030 of the 2020 Special Session I."

Explanation:

(This amendment provides funding for two positions related to the requirements of the Policing Reform bill (SB 5030) that were not included in the introduced budget. The amendment maintains funding for the 8.0 FTE included in the introduced budget, but adjusts the first year funding to be provided for six months from 10 months, as was proposed in the introduced budget. The two additional positions added are (i) one FTE for annual evaluations of certified training academies, for a total of 6.0 FTEs related to the annual evaluations when added to the positions included in the introduced budget; and (ii) one FTE to provide data analysis related to the Department's responsibilities under the Community Policing Act and SB 5030.)

	Item 403 #2s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of Criminal Justice Services	(\$200,000)	\$0 GF

Language:

Page 185, line 18, strike "\$6,601,573" and insert "\$6,401,573".

Page 186, strike lines 11 through 13.

Explanation:

(This amendment removes funding that was proposed in the introduced budget associated with civilian review panels. According to the fiscal impact statement for SB 5035, there is no fiscal impact for the Department of Criminal Justice Services associated with authorizing civilian review panels.)

	Item 404 #1s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of Criminal Justice Services	\$61,203 1.00	\$122,405 GF 1.00 FTE

Language:

Page 186, line 30, strike "\$868,563" and insert "\$929,766".

Page 186, line 30, strike "\$868,563" and insert "\$990,968".

Page 186, line 30, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: Title 9.1, Chapter 1; Title 19.2, Chapter 23.1, Code of Virginia.

A. Included in the amounts appropriated for this item is \$400,000 the first year and \$400,000 the second year from the general fund for the ongoing costs of conducting the School Climate Survey.

B. Included in the appropriation for this item is \$145,000 the first year and \$145,000 the second year from the general fund for the sex trafficking response coordination activities of the Department, pursuant to the provisions of House Bill 2576 and Senate Bill 1669 of the 2019 Session of the General Assembly.

C. Out of this appropriation, \$149,174 the first year and \$149,174 the second year from the general fund is provided to establish the Virginia sexual assault forensic examiner coordination program, pursuant to House Bill 475 and Senate Bill 373 of the 2020 Session of the General Assembly.

D. Included in the appropriation for this item is \$61,203 the first year and \$122,405 the second year and one position from the general fund for the Department to hire a program manager for the Mental Health Awareness Response and Community Understanding Services Alert System, established pursuant to SB 5038 of the 2020 Special Session I."

Explanation:

(This amendment provides funding and a position for the Department to hire a program manager for the Mental Health Awareness Response and Community Understanding Services Alert System, established pursuant to SB 5038.)

Item 406 #1s

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Criminal Justice	\$6,459,095	\$113,790	GF
Services	1.00	1.00	FTE

Language:

Page 186, line 32, strike "\$147,575,754" and insert "\$154,034,849".
Page 186, line 32, strike "\$148,474,168" and insert "\$148,587,958".
Page 186, line 32, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: Title 9.1, Chapter 1, Code of Virginia.

A.1. This appropriation includes an estimated \$4,800,000 the first year and an estimated \$4,800,000 the second year from federal funds pursuant to the Omnibus Crime Control Act of 1968, as amended. Of these amounts, ten percent is available for administration, and the remainder is available for grants to state agencies and local units of government. The remaining federal funds are to be passed through as grants to localities, with a required 25 percent local match. Also included in this appropriation is \$452,128 the first year and \$452,128 the second year from the general fund for the required matching funds for state agencies.

2. The Department of Criminal Justice Services shall provide a summary report on federal anti-crime and related grants which will require state general funds for matching purposes during FY 2013 and beyond. The report shall include a list of each grant and grantee, the purpose of the grant, and the amount of federal and state funds recommended, organized by topical area and fiscal period. The report shall indicate whether each grant represents a new program or a renewal of an existing grant. Copies of this report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees and the Director, Department of Planning and Budget by January 1 of each year.

B. The Department of Criminal Justice Services is authorized to make grants and provide technical assistance out of this appropriation to state agencies, local governments, regional, and nonprofit organizations for the establishment and operation of programs for the following purposes and up to the amounts specified:

1.a. Regional training academies for criminal justice training, \$1,001,074 the first year and \$1,001,074 the second year from the general fund and an estimated \$1,649,315 the first year and an estimated \$1,649,315 the second year from nongeneral funds. The Criminal Justice Services Board shall adopt such rules as may reasonably be required for the distribution of funds and for the establishment, operation and service boundaries of state-supported regional criminal justice training academies.

b. The Board of Criminal Justice Services, consistent with § 9.1-102, Code of Virginia, and § 6VAC-20-20-61 of the Administrative Code, shall not approve or provide funding for the establishment of any new criminal justice training academy from July 1, 2020, through June 30, 2022.

c. Notwithstanding subsection B.1.b. of this item, the Board of Criminal Justice Services may approve a new regional criminal justice academy serving the Counties of Clarke, Frederick, and Warren; the City of Winchester; the Towns of Berryville, Front Royal, Middletown, Stephens City and Strasburg; the Northwestern Adult Detention Center; and, the Frederick County Emergency Communications Center, to be established and operated consistent with a written agreement, provided to the Board, between the local governing bodies, chief executive officers, and chief law enforcement officers of the aforementioned localities, and the Rappahannock Regional Criminal Justice Academy. The new academy shall be eligible to receive state funding in a manner consistent with the currently existing regional criminal justice training academies. However, no current existing regional criminal justice training academy other than the Rappahannock Regional Criminal Justice Academy will receive less funding as a result of the creation of the new regional academy.

2. Virginia Crime Victim-Witness Fund, \$5,692,738 the first year and \$5,692,738 the second year from dedicated special revenue, and \$943,700 the first year and \$943,700 the second year from the general fund. The Department of Criminal Justice Services shall provide a report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided annually to the Secretary of Public Safety and Homeland Security, the Department of Planning and Budget, and the Chairmen of the Senate Finance and House Appropriations Committees by October 16 of each year.

3.a. Court Appointed Special Advocate (CASA) programs, \$1,615,000 the first year and \$1,615,000 the second year from the general fund.

b. In the event that the federal government reduces or removes support for the CASA programs, the Governor is authorized to provide offsetting funding for those impacted programs out of the unappropriated balances in this Act.

4. Domestic Violence Fund, \$3,000,000 the first year and \$3,000,000 the second year from the dedicated special revenue fund to provide grants to local programs and prosecutors that provide services to victims of domestic violence.

5. Pre and Post-Incarceration Services (PAPIS), \$3,286,144 the first year and \$3,286,144 the second year from general fund to support pre and post incarceration professional services and guidance that increase the opportunity for, and the likelihood of, successful reintegration into the community by adult offenders upon release from prisons and jails.

6. To the Department of Behavioral Health and Developmental Services for the following activities and programs: (i) a partnership program between a local community services board and the district probation and parole office for a jail diversion program; (ii) forensic discharge planners; (iii) advanced training on veterans' issues to local crisis intervention teams; and (iv) cross systems mapping targeting juvenile justice and behavioral health.

7. To the Department of Corrections for the following activities and programs: (i) community residential re-entry programs for female offenders; (ii) establishment of a pilot day reporting center; and (iii) establishment of a pilot program whereby non-violent state offenders would be housed in a local or regional jail, rather than a prison or other state correctional facility, with rehabilitative services provided by the jail.

8. To Drive to Work, \$75,000 the first year and \$75,000 the second year from the general fund and \$75,000 the first year and \$75,000 the second year from such federal funds as may be available to provide assistance to low income and previously incarcerated persons to restore their driving privileges so they can drive to work and keep a job.

9. For model addiction recovery programs administered in local or regional jails, \$153,600 the first year and \$153,600 the second year from the general fund. The Department of Criminal Justice Services, consistent with the provisions of Chapter 758, 2017 Acts of Assembly, shall award grants not to exceed \$38,400 to four pilot programs selected in consultation with the Department of Behavioral Health and Developmental Services.

C.1. Out of this appropriation, \$27,690,378 the first year and \$27,690,378 the second year from the general fund is authorized to make discretionary grants and to provide technical assistance to cities, counties or combinations thereof to develop, implement, operate and evaluate programs, services and facilities established pursuant to the Comprehensive Community Corrections Act for Local-Responsible Offenders (§§ 9.1-173 through 9.1-183 Code of Virginia) and the Pretrial Services Act (§§ 19.2-152.2 through 19.2-152.7, Code of Virginia). Out of these amounts, the Director, Department of Criminal Justice Services, is authorized to expend no more than five percent per year for state administration of these programs.

2. The Department of Criminal Justice Services, in conjunction with the Office of the Executive Secretary of the Supreme Court and the Virginia Criminal Sentencing Commission, shall conduct information and training sessions for judges and other judicial officials on the programs, services and facilities available through the Pretrial Services Act and the Comprehensive Community Corrections Act for Local-Responsible Offenders.

D.1. Out of this appropriation, \$225,000 the first year and \$225,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Central Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

2. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Southwest Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

E. In the event the federal government should make available additional funds pursuant to the Violence Against Women Act, the department shall set aside 33 percent of such funds for competitive grants to programs providing services to domestic violence and sexual assault victims.

F.1. Out of this appropriation, \$4,700,000 the first year and \$4,700,000 the second year from the general fund and \$1,710,000 the first year and \$1,710,000 the second year from such federal funds as are available shall be deposited to the School Resource Officer Incentive Grants Fund established pursuant to § 9.1-110, Code of Virginia.

2.a. The Director, Department of Criminal Justice Services, is authorized to expend \$410,877 the first year and \$410,877 the second year from the School Resource Officer Incentive Grants Fund to operate the Virginia Center for School Safety, pursuant to § 9.1-110, Code of Virginia.

b. The Center for School Safety shall provide a grant of \$100,000 in the first year and \$100,000 in the second year to the York County-Poquoson Sheriff's Office for the statewide administration of the Drug Abuse Resistance Education (DARE) program.

3. Subject to the development of criteria for the distribution of grants from the fund, including procedures for the application process and the determination of the actual amount of any grant issued by the department, the department shall award grants to either local law-enforcement agencies, where such local law-enforcement agencies and local school boards have established a collaborative agreement for the employment of school resource officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school resource officers, or to local school divisions for the employment of school security officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school security officers in any public school. The application process shall provide for the selection of either school resource officers, school security officers, or both by localities. The department shall give priority to localities requesting school resource officers, school security officers, or both where no such personnel are currently in place. Localities shall match these funds based on the composite index of local ability-to-pay.

4. Included in this appropriation is \$202,300 the first year and \$202,300 the second year from the general fund for the implementation of a model critical incident response training program

for public school personnel and others providing services to public schools, and the maintenance of a model policy for the establishment of threat assessment teams for each public school, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of public school staff or other students.

5. Included in the amounts appropriated for this item is \$132,254 the first year and \$132,254 the second year from the general fund for the purposes of collection and analysis of data related to school resource officers, pursuant to House Bill 271 of the 2020 Session of the General Assembly.

G. Included in the amounts appropriated in this Item is \$2,500,000 the first year and \$2,500,000 the second year from the general fund for grants to local sexual assault crisis centers (SACCs) and domestic violence programs to provide core and comprehensive services to victims of sexual and domestic violence, including ensuring such services are available and accessible to victims of sexual assault and dating violence committed against college students on- and off-campus.

H.1. Out of the amounts appropriated for this Item, \$2,658,420 the first year and \$2,658,420 the second year from nongeneral funds is provided, to be distributed as follows: for the Southern Virginia Internet Crimes Against Children Task Force, \$1,450,000 the first year and \$1,450,000 the second year; and, for the creation of a grant program to law enforcement agencies for the prevention of internet crimes against children, \$1,208,420 the first year and \$1,208,420 the second year.

2. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces shall each provide an annual report, in a format specified by the Department of Criminal Justice Services, on their actual expenditures and performance results. Copies of these reports shall be provided to the Secretary of Public Safety and Homeland Security, the Chairmen of the Senate Finance and House Appropriations Committees, and Director, Department of Planning and Budget prior to the distribution of these funds each year.

3. Subject to compliance with the reports and distribution thereof as required in paragraph 2 above, the Governor shall allocate all additional funding, not to exceed actual collections, for the prevention of Internet Crimes Against Children, pursuant to § 17.1-275.12, Code of Virginia.

I. Out of the amounts appropriated for this item, \$50,000 the first year and \$50,000 the second year from the general fund is provided for training to local law enforcement to aid in their identifying and interacting with individuals suffering from Alzheimer's and/or dementia.

J.1. Included in the appropriation for this item is \$2,500,000 the first year and \$2,500,000 the second year from the general fund to continue the pilot programs authorized in Item 398, Chapter 836, 2017 Acts of Assembly. The number of pilot sites shall not be expanded beyond those participating in the pilot program the first year.

2. The funding provided to each pilot site shall supplement, not supplant, existing local spending on these services. Distribution of grant amounts shall be made quarterly pursuant to the conditions of paragraph J.3. of this item.

3. The Department shall collect on a quarterly basis qualitative and quantitative data of pilot site performance, to include: (i) mental health screenings and assessments provided to inmates, (ii) mental health treatment plans and services provided to inmates, (iii) jail safety incidents involving inmates and jail staff, (iv) the provision of appropriate services after release, (v) the number of inmates re-arrested or re-incarcerated within 90 days after release following a positive identification for mental health disorders in jail or the receipt of mental health treatment within the facility. The Department shall provide a report on its findings to the Chairmen of the House Appropriations and Senate Finance Committees no later than October 15th each year.

4. The department is authorized to expend up to \$125,000 per year out of the amounts allocated in Paragraph J.1. of this item for costs related to the administration of the jail mental health pilot program.

K. Included in the appropriations for this Item is \$300,000 the first year and \$300,000 the second year from the general fund for the Department of Criminal Justice Services to make competitive grants to nonprofit organizations to support services for law enforcement, including post critical incident seminars and peer-supported critical incident stress management programs to promote officer safety and wellness, under guidelines to be established by the Department. The Department shall evaluate the effectiveness of the program and report on its findings to the Secretary of Public Safety and Homeland Security, the Director of the Department of Planning

and Budget, and the Chairmen of the House Appropriations and Senate Finance Committees by July 1, 2022.

L. Included in the appropriation for this item is \$916,066 in the first year and \$916,066 in the second year from the general fund for the Virginia Beach Correctional Center for the Jail and Re-entry Service Coordination Pathway, which is a joint operation between the Virginia Beach Department of Human Services and the Virginia Beach Sheriff's Office. The program consists of diversion, screening, assessment, treatment, and re-entry services for all incarcerated individuals with an active mental illness or substance use disorder diagnosis.

M. Included in this appropriation for this item, \$2,645,244 the first year and \$193,658 the second year from the general fund and two positions for the Department of Criminal Justice Services to make competitive grants to five localities to support evidence-based gun violence intervention and prevention initiatives. The Department shall evaluate the implementation and effectiveness of the programs in each locality that received the award, and provide a report that details the amount awarded, its findings and recommendations to the Governor, Secretary of Public Safety and Homeland Security, Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and the Senate Finance Committees by November 1, 2021. The funding provided to each locality shall supplement, not supplant, existing local spending on these services.

N. Out of the appropriation in this item, \$1,500,000 the first year and \$1,500,000 the second year from the general fund is allocated for the Department of Criminal Justices Services to make competitive grants to localities to combat hate crimes, including but not limited to target hardening activities, contractual security services, critical technology infrastructure, cybersecurity resilience activates, monitoring, inspection and screening systems; security-related training for employed or volunteer security staff; and terrorism awareness training for employees. The funds appropriated in this item shall be distributed to localities that have established a partnership program with institutions or nonprofit organizations that have been targets of or are at risk of being targeted for hate crimes. The Department shall establish grant guidelines to implement these provisions and shall provide a biennial or annual request for funding from localities, based on the guidelines. For each grant requested, the application shall document the need for the grant, goals, and budget expenditure of these funds and any other sources that may be committed by localities, institutions or nonprofit organizations. Funding provided in this item shall not be used to supplant the funding provided by localities to combat hate crimes.

O.1. The Department of Criminal Justice Services shall review the feasibility and costs to the Commonwealth and localities for the implementation of a pilot program, operated in partnership with one or more participating localities identified by the department, to assess the operation of a uniform reporting mechanism for appropriate criminal justice agencies, as identified in § 9.1-101, Code of Virginia, to collect data relating to bail determinations made by judicial officers conducting hearings pursuant to § 19.2-80, § 19.2-120, or § 19.2-124 of the Code of Virginia, in order to facilitate the purpose of Article 1 (§ 19.2-119 et seq.) of Chapter 9 of Title 19.2 of the Code of Virginia.

2. As part of its review, the department shall identify the methods, feasibility and costs associated with collecting, at minimum, the following information from localities participating in the pilot program: (i) the hearing date of any hearing conducted pursuant to § 19.2-80, § 19.2-120, or § 19.2-124 of the Code of Virginia and the date any individual is admitted to bail; (ii) information about the individual, including the individual's year of birth, race, ethnicity, gender, primary language, and residential zip code; (iii) the determination of the individual's indigency pursuant to § 19.2-159 of the Code of Virginia; (iv) information related to the individual's charges, including the number of charges; the most serious offense the individual is charged with; the code section for such offense; the general description of such offense; whether such offense is a felony, misdemeanor, civil infraction, or other type of offense; and the specific classification of any felony or misdemeanor offense; (v) if the individual is admitted to bail, information related to the conditions of bail and the bond, including whether the bond was secured or unsecured; all monetary amounts set on the bond, including amounts set on both secured and unsecured bonds; any initial nonmonetary conditions of release imposed; any subsequent modifications; and whether the individual utilized the services of a bail bondsman; (vi) if the individual is not admitted to bail, the reason for the denial; (vii) any outstanding arrest warrants or other bars to release from any other jurisdiction; (viii) any revocation of bail due to a violation of such individual's conditions of release, failure to appear for a court hearing, or the commission of a new offense by such individual; (ix) the date the individual is sentenced to an active term of incarceration and the date such individual begins serving such active term; (x) all dates the individual is released or discharged from custody, including release upon satisfaction of the terms of any recognizance, release upon the disposition of any charges, or release upon completion of any active sentence; (xi) the reason for any release or discharge from custody, including whether the individual posted a bond, was released on a recognizance, or was released under terms of supervision, or whether there was a disposition of the charges that resulted in release of the individual. If the reason for release is due to a court order or a disposition of the charges resulting in release, the data collected shall include the specific reason for release, including the nature of the court order or, if there was a conviction, the particular sentence imposed. The data shall also include a list of definitions of any terms used by the locality to indicate reasons for release or discharge; and (xii) the average cost for housing the individual in the local correctional facility, as defined in § 53.1-1, Code of Virginia, for one night. Collected data shall be disaggregated by individual, and for each individual case, an anonymous unique

identifier shall be provided.

3. The department shall provide its findings and recommendations to the Chairs of the House Appropriations, House Courts of Justice, Senate Finance and Appropriations, and Senate Judiciary Committees no later than October 15, 2020.

P. Out of this appropriation, \$500,000 the first year from the general fund is provided for the Department of Criminal Justice Services to award grants to localities for training related to enforcement of the removal of firearms based on substantial risk protective orders.

Q. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund shall be provided for the Department of Criminal Justice Services to contract with Ayuda to provide immigrants legal, social, and language services for low-income victims of crime, including victims of domestic violence, sexual assault, human trafficking and child abuse, abandonment, and neglect. The services provided shall include case management, emergency client assistance, and mental health services in the preferred language of clients.

R. Out of this appropriation, \$150,000 the first year from the general fund is provided for community assessments for youth and gang violence prevention initiatives in Hampton, Newport News, Norfolk, Richmond, Roanoke, and Petersburg.

S.1. Included within the appropriation for this item is \$6,402,200 in the first year from the general fund to be deposited to the Body Worn Camera Fund established pursuant to SB 5052 of the 2020 Special Session I. The Department shall make grants to law enforcement agencies located in the Commonwealth employing law enforcement officers with primary law enforcement duties, including but not limited to state agencies, local agencies, and colleges and universities, for the purpose of purchasing, operating, and maintaining body-worn camera systems. Qualified uses for grant funds shall include one-time costs associated with such body-worn camera systems, to include equipment, data storage, and technology costs, and other one-time costs associated with the purchase, operation, and maintenance of body-worn camera systems, as determined to be eligible by the Department.

2. The funding in this paragraph also includes \$56,895 in the first year and \$113,790 in the

second year from the general fund for a coordinator position to manage the Body Worn Camera Grant program.

3. Any distributions made to a local law enforcement agency under this paragraph shall require a 50 percent match from local fund sources.

4. The Department shall report on the distributions made from the Fund to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by September 30, 2021. The report shall include information on distributions made by agency, description and amount of equipment purchased per agency, and any balances remaining in the Fund."

Explanation:

(This amendment provides one-time funding of \$6.4 million from the general fund for the Department to make grants to law enforcement agencies to support one-time costs for the purchase, operation, or maintenance of body worn camera systems. The funding is intended to be available to any law enforcement agency in the Commonwealth. An agency may apply for funding for accessory equipment if it has already purchased body-worn camera equipment. The amendment also provides \$56,895 GF in the first year and \$113,790 GF in the second year for a program coordinator position to manage the Body Worn Camera grants.)

	Item 425 #1s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of State Police	\$0	\$1,151,497 GF
	0.00	26.00 FTE

Language:

Page 189, line 33, strike "\$68,861,090" and insert "\$70,012,587".

Page 189, line 33, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: §§ 18.2-308.2:2, 19.2-387, 19.2-388, 27-55, 52-4, 52-4.4, 52-8.5, 52-12, 52-13, 52-15, 52-16, 52-25 and 52-31 through 52-34, Code of Virginia.

A.1. It is the intent of the General Assembly that wireless 911 calls be delivered directly by the Commercial Mobile Radio Service (CMRS) provider to the local Public Safety Answering Point (PSAP), in order that such calls be answered by the local jurisdiction within which the call originates, thereby minimizing the need for call transfers whenever possible.

2. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, \$3,700,000 the first year and \$3,700,000 the second year from the Wireless E-911 Fund is included in this appropriation for telecommunications to offset dispatch center operations and related costs incurred for answering wireless 911 telephone calls.

B. Out of the Motor Carrier Special Fund, \$900,000 the first year and \$900,000 the second year shall be disbursed on a quarterly basis to the Department of State Police.

C.1. This appropriation includes \$9,175,535 the first year and \$9,175,535 the second year from the general fund for maintaining the Statewide Agencies Radio System (STARS).

2. The Secretary of Public Safety and Homeland Security, in conjunction with the STARS Management Group and the Superintendent of State Police, shall provide a status report on (1) annual operating costs; (2) the status of site enhancements to support the system; (3) the project timelines for implementing the enhancements to the system; and (4) other matters as the secretary may deem appropriate. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1 of each year.

3. Any bond proceeds authorized for the STARS project that remain after the full implementation of the STARS network shall be made available for the STARS equipment needs of the Department of Military Affairs.

4. Any general fund appropriation given for STARS operating and maintenance under the service area 30204, is designated for such purposes. If the Department of State Police cannot expend its STARS appropriation within a given fiscal year, there shall remain an appropriation balance at the end of the fiscal year. The Department may request a discretionary re-appropriation in the subsequent year as provided in § 4-1.05 of this act if necessary for the

payment of preexisting obligations for the purchase of goods or services.

D. The department shall deposit to the general fund an amount estimated at \$100,000 the first year and \$100,000 the second year resulting from fees generated by additional criminal background checks of local job applicants and prospective licensees collected pursuant to § 15.2-1503.1 of the Code of Virginia.

E. 1. Notwithstanding the provisions of §§ 19.2-386.14, 38.2-415, 46.2-1167 and 52-4.3, Code of Virginia, the Department of State Police may use revenue from the State Asset Forfeiture Fund, the Insurance Fraud Fund, the Drug Investigation Trust Account – State, and the Safety Fund to modify, enhance or procure automated systems that focus on the Commonwealth's law enforcement activities and information gathering processes.

F. The Superintendent of State Police is authorized to and shall establish a policy and reasonable fee to contract for the bulk transmission of public information from the Virginia Sex Offender Registry. Any fees collected shall be deposited in a special account to be used to offset the costs of administering the registry. The State Superintendent of State Police shall charge no fee for the transfer of any information from the Virginia Sex Offender Registry to the Statewide Automated Victim Notification (SAVIN) system.

G.1. The Virginia State Police shall, upon request, provide to the Department of Behavioral Health and Developmental Services any information it possesses as a result of carrying out the provisions of §§ 19.2-389, 37.2-819 and 64.2-2014, Code of Virginia, to enable the Department to make anonymous the data held pursuant to those provisions and link it with other relevant data held by the Commonwealth for the purpose of evaluating the impact of carrying out these provisions on the public health and safety, pursuant to a grant from the National Science Foundation to Duke University and a subcontract with the University of Virginia.

2. The Department of State Police shall, upon request, provide to the Department of Juvenile Justice any information it possesses as a result of carrying out the provisions of §§ 16.1-337.1, 19.2-389, 19.2-389.1, 37.2-819 and 64.2-2014, Code of Virginia, to enable the Department to link the data held pursuant to those provisions with other relevant data held by the Commonwealth, and then to de-identify it, for the purpose of evaluating the impact of carrying out these provisions on the public health and safety, pursuant to a research grant to Duke University and a subcontract with the University of Virginia.

H. Included in the amounts provided for this Item is \$99,479 the first year and \$99,479 the second year from the general fund for the public safety information exchange program with those states that share a border with Canada or Mexico and are willing to participate in the exchange program pursuant to § 2.2-224.1, Code of Virginia.

I. Included in this appropriation is \$620,371 the first year and \$620,371 the second year from the general fund for the annual debt service for the Department to purchase fixed repeaters for the Statewide Agencies Radio System (STARS) through the Department of Treasury's Master Equipment Leasing Program.

J. Included within this appropriation is \$350,200 the first year and \$350,200 the second year from the general fund to support maintenance costs of the state's Commonwealth Link to Interoperable Communications (COMLINC) system.

K. Included within this appropriation is \$300,000 the first year and \$300,000 the second year and four positions to support the COMLINC system.

L. Included in the amounts provided for in this Item is \$675,000 the first year for training and project management costs to upgrade the STARS system. Of this amount, \$500,000 shall not be allotted until the project management costs are determined to be ineligible costs for a bond-funded capital project.

M. Included within the amounts for this item is \$211,947 the first year and \$211,947 the second year and three positions from the general fund for the Department to address the recommendation of the Crime Commission to provide a reference to the "Hold File" for criminal history records checks.

N. Included within the appropriation for this item is \$110,000 the first year from the general fund for the establishment of a cold case searchable electronic database, consistent with the provisions of House Bill 1024 of the 2020 Session of the General Assembly.

O. Included in the amounts appropriated in this item is \$4,480,829 the first year and \$1,479,302 the second year from the general fund to comply with and implement the provisions of the Community Policing Act pursuant to House Bill 1250 of the 2020 Session of the General Assembly.

P. Included within the appropriation for this item is \$1,151,497 and 26 positions in the second year from the general fund for the Department to support the processing of additional expungements that may be ordered pursuant to SB 5043 of the 2020 Special Session I. The funding identified in the second year includes \$46,078 from the general fund for the Department to rent office space for the employees. These amounts and positions in this paragraph are in addition to existing funding under this item which supports 10 additional positions in the expungement division."

Explanation:

(This amendment provides funding in the second year for 22 program support technicians, 3 office supervisors, one program support manager, as well as one-time furniture costs, and ongoing funding for information technology and new office space, that were identified as needs related to SB 5043. Based on the delayed enactment of SB 5043, the second year costs are prorated for six months of funding.)

	Item 427 #1s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of State Police	\$165,917	\$278,976 GF
	3.00	3.00 FTE

Language:

Page 189, line 36, strike "\$32,570,900" and insert "\$32,736,817".

Page 189, line 35, strike "\$32,070,900" and insert "\$32,349,876".

Page 190, after line 33, insert:

"D. Included within the appropriation for this Item is \$165,917 in the first year and \$278,976 in the second year and three positions from the general fund for the Department to uphold the requirements of SB 5030 to share information with an attorney for the Commonwealth. Of these amounts, \$100,960 in the first year and \$65,207 in the second year for operational support for the positions, including information technology expenses, furniture, and shipping expenses."

Explanation:

(This amendment provides \$0.2 million GF in the first year and \$0.3 million GF in the second year and 3 FTEs for the Department to hire two office services assistants and one agency management analyst, as well as funding for information technology support for the positions, \$60,000 per year for postage and secure shipping supplies, and \$17,105 in one-time office furniture costs in the first year, to uphold the requirements of SB 5030.)

Item 429 #1s

Public Safety and Homeland Security	FY20-21	FY21-22	
Virginia Parole Board	\$33,993 1.00	\$67,986 1.00	GF FTE

Language:

Page 191, line 10, strike "\$2,330,525" and insert "\$2,364,518".

Page 191, line 10, strike "\$2,330,525" and insert "\$2,398,511".

Explanation:

(This amendment provides the Board with funding for one full-time position to support the requirements of SB 5012 and SB 5050. Item 429 will be set out upon the enrolling of the bill.)

Item 429 #2s

Public Safety and Homeland Security	FY20-21	FY21-22	
Virginia Parole Board	\$19,512	\$39,023	GF

Language:

Page 191, line 10, strike "\$2,330,525" and insert "\$2,350,037".

Page 191, line 10, strike "\$2,330,525" and insert "\$2,369,548".

Explanation:

(This amendment funds a part-time position to support the Board in carrying out the identical provisions of SB 5034 and SB 5018, which provide eligibility for compassionate release for terminally ill state inmates, based on review by the Board. Item 429 will be set out upon enrolling of the bill.)

Item 436 #1s

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, after line 44, insert:

“Q. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit (1) Class B driver training schools and (2) computer-based driver education providers, as defined in § 46.2-1700, to administer the end-of-course driver's education test online subject to the requirements prescribed by the Commissioner. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit Class B driver training schools with a valid Virginia license to administer their in-class curriculum on an online platform subject to the requirements prescribed by the Commissioner. Notwithstanding the provisions of § 22.1-205, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit the parent/student driver education component of the driver's education course to be administered online subject to the requirements prescribed by the Commissioner.”

Explanation:

(This amendment provides the DMV Commissioner flexibility to allow driver training schools providing training and skills testing for regular driver's license applicants to administer certain portions of the driver education curriculum on an online platform subject to requirements prescribed by the Commissioner during a declared state of emergency.)

Item 436 #2s

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, following line 44, insert:

"Q. Notwithstanding the provisions of subsection E of § 18.2-271.1 of the Code of Virginia, if a person's license to operate a motor vehicle, engine, or train in the Commonwealth has been suspended or revoked pursuant to former § 18.2-259.1 or 46.2-390.1, a court may, in its discretion and for good cause shown, issue a restricted permit to operate a motor vehicle for any purpose set forth in subsection E of § 18.2-271.1. No restricted license issued pursuant to this paragraph shall permit any person to operate a commercial motor vehicle as defined in the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.). The court shall forward to the Commissioner of the Department of Motor Vehicles a copy of its order entered pursuant to this paragraph, which shall specifically enumerate the restrictions imposed and contain such information regarding the person to whom such a permit is issued as is reasonably necessary to identify such person. The court shall also provide a copy of its order to the person so convicted

who may operate a motor vehicle on the order until receipt from the Commissioner of the Department of Motor Vehicles of a restricted license, if the order provides for a restricted license for that time period. A copy of such order and, after receipt thereof, the restricted license shall be carried at all times by such person while operating a motor vehicle. Any person who operates a motor vehicle in violation of any restrictions imposed pursuant to this paragraph is guilty of a violation of § 46.2-301."

Explanation:

(This amendment provides courts with the authority to grant restricted driving privileges for individuals suspended for drug violations under former §§ 18.2-259.1 and 46.2-390.1.)

	Item 477 #1s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$18,432,910	\$0 GF

Language:

Page 204, line 6, strike "\$139,552,150" and insert "\$157,985,060".

Page 204, line 6, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Compensation and Benefits Adjustments (75700)	\$139,552,150 \$157,985,060	\$213,830,664
Adjustments to Employee Compensation (75701)	\$119,985,353 \$138,418,263	\$151,893,587
Adjustments to Employee Benefits (75702)	\$19,566,797	\$61,937,077
Fund Sources: General	\$139,552,150 \$157,985,060	\$213,830,664

Authority: Discretionary Inclusion.

A. Transfers to or from this Item may be made to decrease or supplement general fund

appropriations to state agencies for:

1. Adjustments to base rates of pay;
2. Adjustments to rates of pay for budgeted overtime of salaried employees;
3. Salary changes for positions with salaries listed elsewhere in this act;
4. Salary changes for locally elected constitutional officers and their employees;
5. Employer costs of employee benefit programs when required by salary-based pay adjustments;
6. Salary changes for local employees supported by the Commonwealth, other than those funded through appropriations to the Department of Education; and
7. Adjustments to the cost of employee benefits to include but not be limited to health insurance premiums and retirement and related contribution rates.

B. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes stated in paragraph A of this Item, as determined by the Department of Planning and Budget, and subject to guidelines prescribed by the department. Further, the Department of Planning and Budget may transfer appropriations within this Item from the second year of the biennium to the first year, when necessary to accomplish the purposes stated in paragraph A of this Item.

C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by nongeneral fund sources, shall pay the proportionate share of changes in salaries and benefits as required by this Item, subject to the rules and regulations prescribed by the appointing or governing authority of such agencies. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.

D. Any supplemental salary payment to a state employee or class of state employees by a local

governing body shall be governed by a written agreement between the agency head of the employee or class of employees receiving the supplement and the chief executive officer of the local governing body. Such agreement shall also be reviewed and approved by the Director of the State Department of Human Resource Management. At a minimum, the agreement shall specify the percent of state salary or fixed amount of the supplement, the resultant total salary of the employee or class of employees, the frequency and method of payment to the agency of the supplement, and whether or not such supplement shall be included in the employee's state benefit calculations. A copy of the agreement shall be made available annually to all employees receiving the supplement. The receipt of a local salary supplement shall not subject employees to any personnel or payroll rules and practices other than those promulgated by the State Department of Human Resource Management.

E. The Governor is hereby authorized to transfer funds from agency appropriations to the accounts of participating state employees in such amounts as may be necessary to match the contributions of the qualified participating employees, consistent with the requirements of the Code of Virginia governing the deferred compensation cash match program. Such transfers shall be made consistent with the following:

1. The maximum cash match provided to eligible employees shall not be less than \$20.00 per pay period, or \$40.00 per month, in each year of the biennium. The Governor may direct the agencies of the Commonwealth to utilize funds contained within their existing appropriations to meet these requirements.
2. The Governor may direct agencies supported in whole or in part with nongeneral funds to utilize existing agency appropriations to meet these requirements. Such nongeneral revenues and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b of this act. The use of such nongeneral funds shall be consistent with any existing conditions and restrictions otherwise placed upon such nongeneral funds.
3. The procurement of services related to the implementation of this program shall be governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.

F. The Secretary of Administration, in conjunction with the Secretary of Finance, may establish a program that allows for the sharing of cost savings from improved productivity, efficiency, and performance with agencies and employees. Such gain sharing programs require a management philosophy of open communication encouraging employee participation; a system which seeks, evaluates and implements employee input on increasing productivity; and a formula for measuring productivity gains and sharing these gains between employees and the agency. The Department of Human Resource Management, in conjunction with the Department

of Planning and Budget, shall develop specific gain sharing program guidelines for use by agencies. The Department of Human Resource Management shall provide to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees an annual report no later than October 1 of each year detailing identified savings and their usage.

G.1. Out of the appropriation for this Item, an amount estimated at \$41,227,641 the second year from the general fund shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.

2. Notwithstanding any contrary provision of law, the health benefit plans for state employees resulting from the additional funding in this Item shall allow for a portion of employee medical premiums to be charged to employees.

3. The Department of Human Resource Management shall explore options within the health insurance plan for state employees to promote value-based health choices aimed at creating greater employee satisfaction with lower overall health care costs. It is the General Assembly's intent that any savings associated with this employee health care initiative be retained and used towards funding state employee salary or fringe benefit cost increases.

4. Notwithstanding any other provision of law, it shall be the sole responsibility and authority of the Department of Human Resource Management to establish and enforce employer contribution rates for any health insurance plan established pursuant to §2.2-2818, Code of Virginia.

5. The Department of Human Resource Management is prohibited from establishing a retail maintenance network for maintenance drugs that includes penalties for non-use of the retail maintenance network.

6. The Department of Human Resource Management shall not increase the annual out-of-pocket maximum included in the plans above the limits in effect for the plan year which began on July 1, 2014.

7. The Department of Human Resource Management shall include language in all contracts, signed on or after July 1, 2018, with third party administrators of the state employee health plan requiring the third party administrators to: 1) maintain policies and procedures for transparency

in their pharmacy benefit administration programs; 2) transparently provide information to state employees through an explanation of benefits regarding the cost of drug reimbursement; dispensing fees; copayments; coinsurance; the amount paid to the dispensing pharmacy for the claim; the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager; and the amount charged by the third party administrator to the Commonwealth; and 3) provide a report to the Department of Human Resource Management of the aggregate difference in amounts between reimbursements made to pharmacies for claims covered by the state employee insurance plan, the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager, and the amount charged by the third party administrator to the Commonwealth as well as an explanation for any difference.

8. Notwithstanding the provisions of § 38.2-3418.17 and any other provision of law, effective October 1, 2018, the Department of Human Resource Management shall provide coverage under the state employee health insurance program for the treatment of autism spectrum disorder through the age of eighteen.

H.1. Contribution rates paid to the Virginia Retirement System for the retirement benefits of public school teachers, state employees, state police officers, state judges, and state law enforcement officers eligible for the Virginia Law Officers Retirement System shall be based on a valuation of retirement assets and liabilities that are consistent with the provisions of Chapters 701 and 823, Acts of Assembly of 2012.

2. Retirement contribution rates, excluding the five percent employee portion, shall be as set out below and include both the regular contribution rate and for the public school teacher plan the rate calculated by the Virginia Retirement System actuary for the 10-year payback of the retirement contribution payments deferred for the 2010-12 biennium:

	FY 2021	FY 2022
Public school teachers	16.62%	16.62%
State employees	14.46%	14.46%
State Police Officers' Retirement System	26.33%	26.33%
Virginia Law Officers' Retirement System	21.90%	21.90%
Judicial Retirement System	29.84%	29.84%

3. Payments of all required contributions and insurance premiums to the Virginia Retirement System and its third-party administrators, as applicable, shall be made no later than the tenth day following the close of each month of the fiscal year.

4. Out of the appropriation for this Item, amounts estimated at \$15,893,697 the first year and \$16,578,460 the second year, from the general fund shall be transferred to state agencies and institutions of higher education, to support the general fund portion of costs associated with changes in employer contributions for state employee retirement as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for retirement contributions are appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer retirement contribution rate for public school teachers is appropriated elsewhere in this act under Direct Aid to Public Education.

I. Rates paid to the Virginia Retirement System on behalf of employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local public school divisions (only to the extent that the employer contribution rate is not otherwise specified in this act), and (v) other political subdivisions shall be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to § 51.1-145(I), Code of Virginia.

J. The Virginia Retirement System Board of Trustees shall account for the employer retirement contribution payments for the public school teacher plan deferred for the 2010-2012 biennium based on limiting employer retirement contributions to the Virginia Retirement System to the actuarial normal cost. In setting the employer retirement contribution rates for the public school teacher plan for subsequent biennia, the board shall calculate a separate, supplemental employer contribution rate that will amortize such deferred payments over a period of ten years using the board's assumed long-term rate of return. The Governor shall include funds to support payment of the approved state portion of such board-approved, supplemental employer contribution rates for the public school teacher plan in the budget submitted to the General Assembly.

K.1. Contribution rates paid to the Virginia Retirement System for other employee benefits to include the public employee group life insurance program, the Virginia Sickness and Disability Program, the state employee retiree health insurance credit, and the public school teacher retiree health insurance credit, shall be based on a valuation of assets and liabilities that assume an

investment return of seven percent and an amortization period of 30 years, except beginning in fiscal year 2021 the state employee retiree health credit amortization period shall be reduced by 5 years.

2. Contribution rates paid on behalf of public employees for other programs administered by the Virginia Retirement System shall be:

	FY 2021	FY 2022
State employee retiree health insurance credit	1.25%	1.25%
Public school teacher retiree health insurance credit	1.21%	1.21%
State employee group life insurance program	1.34%	1.34%
Employer share of the public school teacher group life insurance program	0.54%	0.54%
Virginia Sickness and Disability Program	0.61%	0.61%

3. Funding for the Virginia Sickness and Disability Program is calculated on a rate of 0.56 percent of total payroll.

4. Out of the appropriation for this Item, amounts estimated at \$3,980,010 the first year and \$4,153,072 the second year, from the general fund shall be transferred to state agencies and institutions of higher education, to support the general fund portion of costs associated with changes in employer contributions for state employee benefits as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for public employee group life insurance contributions is appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer public school teacher group life insurance and retiree health insurance credit rates is appropriated elsewhere in this act under Direct Aid to Public Education.

L.1. The retiree health insurance credit contribution rates for the following groups of state

supported local public employees shall be: 0.36 percent for constitutional officers and employees of constitutional officers 0.38 percent for employees of local social services boards, and 0.39 percent for General Registrars and employees of General Registrars.

2. The Director, Department of Planning and Budget, shall withhold and transfer to this Item amounts estimated at \$55,805 the first year and \$55,805 the second year to reflect the general fund portion of the net savings resulting from changes in the retiree health insurance credit contribution rates for state supported local public employees through the Compensation Board, the Department of Social Services, and the Department of Elections pursuant to § 51.1-1403, Code of Virginia.

M.1. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia for employees who are involuntarily separated from employment with the Commonwealth if the Director of the Department of Planning and Budget certifies that such action results from 1. budget reductions enacted in the Appropriation Act, 2. budget reductions executed in response to the withholding of appropriations by the Governor pursuant to §4-1.02 of the Act, 3. reorganization or reform actions taken by state agencies to increase efficiency of operations or improve service delivery provided such actions have been previously approved by the Governor, or 4. downsizing actions taken by state agencies as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue, and if the Director of the Department of Human Resource Management certifies that the action comports with personnel policy. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

2. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia, for employees who are involuntarily separated from employment with the Commonwealth if the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules have certified on or after July 1, 2016, that such action results from 1. budget reductions enacted in the Appropriation Act pertaining to the Legislative Department; 2. reorganization or reform actions taken by agencies in the legislative branch of state government to increase efficiency of operations or improve service delivery provided such actions have been approved by the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules; or 3. downsizing actions taken by agencies in the legislative branch of state government as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue and if the applicable agency certifies that the actions comport with the provisions of and related policies associated with the Workforce Transition Act. Under these conditions, the entire cost of such benefits for involuntarily

separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

N. The purpose of this paragraph is to provide a transitional severance benefit, under the conditions specified, to eligible city, county, school division or other political subdivision employees who are involuntarily separated from employment with their employer.

1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from employment with the employer, or being placed on leave without pay-layoff or equivalent status, due to budget reductions, employer reorganizations, workforce downsizings, or other causes not related to the job performance or misconduct of the employee, but shall not include voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an employee who is involuntarily separated from employment with his employer.

b. The governing authority of a city, county, school division or other political subdivision electing to cover its employees under the provisions of this paragraph shall adopt a resolution, as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An election by a school division shall be evidenced by a resolution approved by the Board of such school division and its local governing authority.

2.a. Any (i) "eligible employee" as defined in § 51.1-132, (ii) "teacher" as defined in § 51.1-124.3, and (iii) any "local officer" as defined in § 51.1.124.3 except for the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or sheriff of any county or city, and (a) for whom reemployment with his employer is not possible because there is no available position for which the employee is qualified or the position offered to the employee requires relocation or a reduction in salary and (b) whose involuntary separation was due to causes other than job performance or misconduct, shall be eligible, under the conditions specified, for the transitional severance benefit conferred by this paragraph. The date of involuntary separation shall mean the date an employee was terminated from employment or placed on leave without pay-layoff or equivalent status.

b. Eligibility shall commence on the date of involuntary separation.

3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or less to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary; (ii) three years through and including nine years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to four

weeks of salary plus one additional week of salary for every year of service over two years; (iii) ten years through and including fourteen years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to twelve weeks of salary plus two additional weeks of salary for every year of service over nine years; or (iv) fifteen years or more of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to two weeks of salary for every year of service, not to exceed thirty-six weeks of salary.

b. Transitional severance benefits shall be computed by the terminating employer's payroll department. Partial years of service shall be rounded up to the next highest year of service.

c. Transitional severance benefits shall be paid by the employer in the same manner as normal salary. In accordance with § 60.2-229, transitional severance benefits shall be allocated to the date of involuntary separation. The right of any employee who receives a transitional severance benefit to also receive unemployment compensation pursuant to § 60.2-100 et seq. shall not be denied, abridged, or modified in any way due to receipt of the transitional severance benefit; however, any employee who is entitled to unemployment compensation shall have his transitional severance benefit reduced by the amount of such unemployment compensation. Any offset to a terminated employee's transitional severance benefit due to reductions for unemployment compensation shall be paid in one lump sum at the time the last transitional severance benefit payment is made.

d. For twelve months after the employee's date of involuntary separation, the employee shall continue to be covered under the (i) health insurance plan administered by the employer for its employees, if he participated in such plan prior to his date of involuntary separation, and (ii) group life insurance plan administered by the Virginia Retirement System pursuant to Chapter 5 (§ 51.1-500 et seq.) of Title 51.1, or such other group life insurance plan as may be administered by the employer. During such twelve months, the terminating employer shall continue to pay its share of the terminated employee's premiums. Upon expiration of such twelve month period, the terminated employee shall be eligible to purchase continuing health insurance coverage under COBRA.

e. Transitional severance benefit payments shall cease if a terminated employee is reemployed or hired in an individual capacity as an independent contractor or consultant by the employer during the time he is receiving such payments.

f. All transitional severance benefits payable pursuant to this section shall be subject to applicable federal laws and regulations.

4.a. In lieu of the transitional severance benefit provided in subparagraph 3 of this paragraph, any otherwise eligible employee who, on the date of involuntary separation, is also (i) a vested member of a defined benefit plan within the Virginia Retirement System, including the hybrid retirement program described in § 51.1-169, and including a member eligible for the benefits described in subsection B of § 51.1-138, and (ii) at least fifty years of age, may elect to have the employer purchase on his behalf years to be credited to either his age or creditable service or a combination of age and creditable service, except that any years of credit purchased on behalf of a member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, who is eligible for unreduced retirement shall be added to his creditable service and not his age. The cost of each year of age or creditable service purchased by the employer shall be equal to fifteen percent of the employee's present annual compensation. The number of years of age or creditable service to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the cash value of the benefits to which the employee would be entitled under subparagraphs 3.a. and 3.d. of this paragraph by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to the next highest year. Deferred retirement under the provisions of subsection C of §§ 51.1-153 and disability retirement under the provisions of § 51.1-156 et seq., shall not be available under this paragraph.

b. In lieu of the (i) transitional severance benefit provided in subparagraph 3 of this paragraph and (ii) the retirement program provided in this subsection, any employee who is otherwise eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2.

c. The retirement allowance for any employee electing to retire under this paragraph who, by adding years to his age, is between ages fifty-five and sixty-five, shall be reduced on the actuarial basis provided in subdivision A. 2. of § 51.1-155.

d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.

e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System.

f. Notwithstanding the foregoing, the provisions of this paragraph N shall apply to an otherwise eligible employee who is a person who becomes a member on or after July 1, 2010, a person who does not have 60 months of creditable service as of January 1, 2013, or a person who is enrolled in the hybrid retirement program described in § 51.1-169, mutatis mutandis.

O.1. a. In order to address the potential for stranded liability in the Virginia Retirement System,

notwithstanding any other contrary provisions of the Appropriation Act or of § 51.1-145, institutions of higher education that have established their own optional retirement plan under § 51.1-126(B) shall pay, effective July 1, 2019, contributions to the employer's retirement allowance account in an amount equal to that portion of the state employer contribution rate designated to pay down the total unfunded accrued liability, for any positions existing as of December 31, 2011 that are subsequently converted from non-Optional Retirement Plan for Higher Education (ORPHE) eligible positions to ORPHE-eligible positions on or after January 1, 2012 and that are filled by an employee who elects to participate in the ORPHE. In meeting this obligation, each institution shall provide to the Virginia Retirement System by April 1 of each year a list of all positions converted from non-ORPHE eligible positions to ORPHE-eligible positions since January 1, 2012, and whether current employees in such positions have elected ORPHE participation.

b. Such contributions shall not be required for any new position established by the institution after January 1, 2012, that may be eligible for participation in the Optional Retirement Plan for Higher Education.

2. Furthermore, the Department of Accounts, the Virginia Retirement System, and the universities of higher education shall work to develop a methodology to identify and report separately personnel services expenditures for university personnel in positions that use to be classified positions but have been transitioned to university staff positions.

P. 1. Notwithstanding the provisions of § 17.1-327, Code of Virginia, any justice, judge, member of the State Corporation Commission, or member of the Virginia Workers' Compensation Commission who is retired under the Judicial Retirement System and who is temporarily recalled to service shall be reimbursed for actual expenses incurred during such service and shall be paid a per diem of \$250 for each day the person actually sits, exclusive of travel time.

2. Out of the general fund appropriation for this Item, \$500,000 in the first year and \$500,000 in the second year is provided to support the costs resulting from the changes in the per diem amounts provided for in paragraph P.1. The Director, Department of Planning and Budget, shall disburse funding from this Item to all affected judicial and independent agencies upon request.

Q.1. Notwithstanding § 9.1-400, Code of Virginia, or any contrary provision of law, "eligible dependent" for purposes of continued health insurance pursuant to § 9.1-401, Code of Virginia, shall also include the natural or adopted child or children of a "deceased person", as defined in § 9.1-400, Code of Virginia, or "disabled person", as defined in § 9.1-400, Code of Virginia, born as the result of a pregnancy or adoption that occurred after the time of the employee's death or disability and prior to July 1, 2017. Eligibility will continue until the end of the year in which

the eligible dependent reaches age 26 or when the eligible dependent ceases to be eligible based on the Virginia Administrative Code or administrative guidance as determined by the Department of Human Resource Management.

2. Notwithstanding § 9.1-400.1 D, Code of Virginia, the annual contribution for each participating employer shall be based on a premium of \$717.31 per eligible full-time equivalent employee.

3. The Director, Department of Planning and Budget, shall transfer from this Item general fund amounts estimated at \$202,639 the first year and \$202,639 the second year to state agencies and institutions of higher education to support the general fund portion of costs of Line of Duty Act premiums based on the latest enrollment update from the Virginia Retirement System and the premium authorized in this paragraph.

R. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at \$457,852 the first year and \$173,038 the second year from state agencies and institutions of higher education to recognize the general fund portion of savings associated with the latest workers' compensation premiums provided by the Department of Human Resource Management.

S. The following agency heads, at their discretion, may utilize agency funds to implement the provisions of new or existing performance-based pay plans:

1. The heads of agencies in the Legislative and Judicial Departments;
2. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;
3. The Attorney General;
4. The Director of the Virginia Retirement System;
5. The Executive Director of the Virginia Lottery;
6. The Director of the University of Virginia Medical Center;

7. The Chief Executive Officer of the Virginia College Savings Plan;

8. The Executive Director of the Virginia Port Authority; and

9. The Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority.

T. Out of the amounts included in this item, amounts estimated at \$1,398,067 the first year and \$4,627,062 the second year from the general fund is available for transfer to state agencies and institutions of higher education to effectuate the provisions of House Bill 395 and Senate Bill 7 which increases the minimum wage beginning January 1, 2021.

U.1. The Governor is hereby authorized to allocate a sum of up to \$118,087,286 the first year and up to \$146,766,525 the second year from this appropriation, to the extent necessary to offset any downward revisions of the general fund revenue estimate prepared for fiscal years 2021 and 2022, after the enactment by the General Assembly of the 2020 Appropriation Act. If within five days of the preliminary close of the fiscal year ending on June 30, 2020, the Comptroller's analysis does not determine that a revenue re-forecast is required pursuant to § 2.2-1503.3, Code of Virginia, then such appropriation shall be used only for employee compensation purposes as stated in paragraphs V., W., X., Y., Z., AA. and BB. below.

2. Furthermore, the \$95,205,619 the first year and \$194,971,850 the second year from the general fund allocated to support the state share of a two percent salary adjustment the first year and an additional two percent salary adjustment the second year for SOQ funded positions authorized in Item 145 of this act shall be unallotted, if the provisions of paragraph U.1. are not met and the actions authorized in paragraphs V., W., X., Y., Z., AA., and BB. of this item are not effectuated.

V.1. Contingent on the provisions of paragraph U.1. above, \$89,883,598 from the general fund the first year is available to provide all classified employees of the Executive Branch and other full-time employees of the Commonwealth, except elected officials and employees receiving a salary adjustment pursuant to paragraph Z. below, who were employed on April 1, 2020, and remain employed until at least November 24, 2020, a one-time bonus payment equal to three percent of their base pay on December 1, 2020.

2. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the bonus payment authorized in this paragraph only if they have attained an equivalent rating of at least "Contributor" on their performance evaluation and have no active written notices under the Standards of Conduct within the preceding twelve-month period.

3. The governing authorities of the state institutions of higher education may provide the bonus for faculty and university staff based on performance and other employment-related factors, as long as the bonuses do not exceed what the average would have been based on the general methodology authorized in this paragraph.

W. Contingent on the provisions of paragraph U.1, out of amounts appropriated for Employee Compensation in this item, \$20,725,124 from the general fund the first year is provided for a one-time bonus, equal to two percent of their base salary on December 1, 2020 provided that the governing authority of such employees use such funds to support the provision of a bonus for the following listed employees:

- a. Locally-elected constitutional officers;
- b. General Registrars and members of local electoral boards;
- c. Full-time employees of locally-elected constitutional officers and,
- d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

X.1. Contingent on the provisions of paragraph U.1. above, \$109,353,218 from the general fund the second year is provided to increase the base salary of the following employees by three percent on June 10, 2021:

- a. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;

- b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;
- c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c;
- d. Full-time staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries' Offices, including the Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office;
- e. Heads of agencies in the Legislative Department;
- f. Full-time employees in the Legislative Department, other than officials elected by popular vote;
- g. Legislative Assistants as provided for in Item 1 of this act;
- h. Judges and Justices in the Judicial Department;
- i. Heads of agencies in the Judicial Department;
- j. Full-time employees in the Judicial Department;
- k. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Chief Executive Officer of the Virginia College Savings Plan, and the Directors of the Virginia Lottery, and the Virginia Retirement System; and
- l. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the Virginia Lottery, Virginia Workers' Compensation Commission, and the Virginia Retirement System.

2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.

b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative Departments, employees of Independent agencies, and employees of the Executive Department not subject to the Virginia Personnel Act shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. However, notwithstanding anything herein to the contrary, the governing authorities of those state institutions of higher education with employees not subject to the Virginia Personnel Act may implement salary increases for such employees that may vary based on performance and other employment-related factors. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.

3. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan by three percent on June 10, 2021. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances when employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.

4. The following agency heads, at their discretion, may utilize agency funds or the funds provided pursuant to this paragraph to implement the provisions of new or existing performance-based pay plans:

a. The heads of agencies in the Legislative and Judicial Departments;

b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;

c. The Attorney General;

d. The Director of the Virginia Retirement System;

- e. The Director of the Virginia Lottery;
- f. The Director of the University of Virginia Medical Center;
- g. The Chief Executive Officer of the Virginia College Savings Plan; and
- h. The Executive Director of the Virginia Port Authority.

5. The base rates of pay, and related employee benefits, for wage employees may be increased by up to three percent no earlier than June 10, 2021. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.

6. The governing authorities of those state institutions of higher education with employees may provide a salary adjustment based on performance and other employment-related factors, as long as the increases do not exceed the three percent increase on average.

Y.1. Contingent on the provisions of paragraph U.1. above, the appropriations in this item include funds to increase the base salary of the following employees by three percent on July 1, 2021, provided that the governing authority of such employees use such funds to support salary increases for the following listed employees.

- a. Locally-elected constitutional officers;
- b. General Registrars and members of local electoral boards;
- c. Full-time employees of locally-elected constitutional officers and,
- d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and Comprehensive Community Corrections Act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

2. Out of the appropriation for Supplements to Employee Compensation is included \$28,897,190 the second year from the general fund to support the costs associated with the salary increase provided in this paragraph.

Z. Contingent on the provisions of paragraph U.1. above, \$5,187,764 the first year and \$6,225,317 the second year from the general fund, is available for salary adjustments for sworn officers of the Department of State Police as follows:

a. Sworn employees of the Department of State Police, who have three or more years of continuous state service shall receive \$110 for each full year of service up to thirty years, effective August 10, 2020.

b. Prior to effectuating the salary adjustment authorized in this paragraph, the base salary of all sworn officers of the State Police shall be increased by two percent, effective August 10, 2020.

c. The Department of Human Resource Management shall adjust the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan as needed to effectuate the pay action in this paragraph.

AA. Contingent on the provisions of paragraph U.1. above, included in the appropriation for this item is \$2,290,800 the first year from the general fund to provide a three percent bonus on December 1, 2020 year for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions.

BB. Contingent on the provisions of paragraph U.1. above, included in the appropriation for this item is \$2,290,800 the second year from the general fund to provide a three percent increase in base pay for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions, effective June 10, 2021.

CC. Included in the appropriation for this Item is \$1,031,287 from the general fund in the first year, which shall be made available to provide sworn officers of the Department of State Police, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

DD. Included in the appropriation for this Item is \$44,675 from the general fund in the first year, which shall be made available to provide sworn officers of the Division of Capitol Police, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

EE. Included in the appropriation for this Item is \$3,728,996 from the general fund in the first year, which shall be made available to provide sworn staff of the Department of Corrections and the Department of Juvenile Justice, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

FF. Included in the appropriation for this Item is \$622,985 from the general fund in the first year, which shall be made available to provide sworn officers of state agencies and higher education institutions, not otherwise included in paragraphs CC., DD., and EE., who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

GG. Included in the appropriation for this Item is \$5,518,139 from the general fund in the first year, which shall be made available to provide sworn constitutional officers and their staffs, including sheriffs, sheriffs' deputies, regional jail superintendents and corrections officers, a one-time bonus payment of \$500 on December 1, 2020.

HH. Included in the appropriation for this Item is \$7,783,828 in the first year from the general fund, to be transferred to the Department of Criminal Justice Services, which shall distribute such funds to local police departments statewide for the purpose of providing a one-time bonus payment of \$500 to sworn law-enforcement officers of such police departments to be paid on December 1, 2020."

Explanation:

(This amendment provides funding of \$18.4 million GF the first year for a \$500 one-time bonus payment, effective December 1, 2020, for sworn state law-enforcement personnel of the Department of State Police, the Division of Capitol Police, the Department of Corrections, the Department of Juvenile Justice, and all other state agencies and higher education institutions, as well as sworn state-supported local constitutional officers and their staffs, and regional jail superintendants and their staffs, and sworn officers of local police departments.)

Item 477 #2s

Central Appropriations

FY20-21

FY21-22

Central Appropriations \$0 (\$20,613,821) GF

Language:

Page 204, line 6, strike "\$213,830,664" and insert "\$193,216,843".
 Page 204, line 6, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Compensation and Benefits Adjustments (75700)	\$139,552,150	\$213,830,664 \$193,216,843
Adjustments to Employee Compensation (75701)	\$119,985,353	\$151,893,587
Adjustments to Employee Benefits (75702)	\$19,566,797	\$61,937,077 \$41,323,256
Fund Sources: General	\$139,552,150	\$213,830,664 \$193,216,843

Authority: Discretionary Inclusion.

A. Transfers to or from this Item may be made to decrease or supplement general fund appropriations to state agencies for:

1. Adjustments to base rates of pay;
2. Adjustments to rates of pay for budgeted overtime of salaried employees;
3. Salary changes for positions with salaries listed elsewhere in this act;
4. Salary changes for locally elected constitutional officers and their employees;

5. Employer costs of employee benefit programs when required by salary-based pay adjustments;
6. Salary changes for local employees supported by the Commonwealth, other than those funded through appropriations to the Department of Education; and
7. Adjustments to the cost of employee benefits to include but not be limited to health insurance premiums and retirement and related contribution rates.

B. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes stated in paragraph A of this Item, as determined by the Department of Planning and Budget, and subject to guidelines prescribed by the department. Further, the Department of Planning and Budget may transfer appropriations within this Item from the second year of the biennium to the first year, when necessary to accomplish the purposes stated in paragraph A of this Item.

C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by nongeneral fund sources, shall pay the proportionate share of changes in salaries and benefits as required by this Item, subject to the rules and regulations prescribed by the appointing or governing authority of such agencies. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.

D. Any supplemental salary payment to a state employee or class of state employees by a local governing body shall be governed by a written agreement between the agency head of the employee or class of employees receiving the supplement and the chief executive officer of the local governing body. Such agreement shall also be reviewed and approved by the Director of the State Department of Human Resource Management. At a minimum, the agreement shall specify the percent of state salary or fixed amount of the supplement, the resultant total salary of the employee or class of employees, the frequency and method of payment to the agency of the supplement, and whether or not such supplement shall be included in the employee's state benefit calculations. A copy of the agreement shall be made available annually to all employees receiving the supplement. The receipt of a local salary supplement shall not subject employees to any personnel or payroll rules and practices other than those promulgated by the State Department of Human Resource Management.

E. The Governor is hereby authorized to transfer funds from agency appropriations to the

accounts of participating state employees in such amounts as may be necessary to match the contributions of the qualified participating employees, consistent with the requirements of the Code of Virginia governing the deferred compensation cash match program. Such transfers shall be made consistent with the following:

1. The maximum cash match provided to eligible employees shall not be less than \$20.00 per pay period, or \$40.00 per month, in each year of the biennium. The Governor may direct the agencies of the Commonwealth to utilize funds contained within their existing appropriations to meet these requirements.
2. The Governor may direct agencies supported in whole or in part with nongeneral funds to utilize existing agency appropriations to meet these requirements. Such nongeneral revenues and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b of this act. The use of such nongeneral funds shall be consistent with any existing conditions and restrictions otherwise placed upon such nongeneral funds.
3. The procurement of services related to the implementation of this program shall be governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.

F. The Secretary of Administration, in conjunction with the Secretary of Finance, may establish a program that allows for the sharing of cost savings from improved productivity, efficiency, and performance with agencies and employees. Such gain sharing programs require a management philosophy of open communication encouraging employee participation; a system which seeks, evaluates and implements employee input on increasing productivity; and a formula for measuring productivity gains and sharing these gains between employees and the agency. The Department of Human Resource Management, in conjunction with the Department of Planning and Budget, shall develop specific gain sharing program guidelines for use by agencies. The Department of Human Resource Management shall provide to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees an annual report no later than October 1 of each year detailing identified savings and their usage.

G.1. Out of the appropriation for this Item, an amount estimated at ~~\$41,227,641~~ \$20,613,821 the second year from the general fund shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.

2. Notwithstanding any contrary provision of law, the health benefit plans for state employees resulting from the additional funding in this Item shall allow for a portion of employee medical

premiums to be charged to employees.

3. The Department of Human Resource Management shall explore options within the health insurance plan for state employees to promote value-based health choices aimed at creating greater employee satisfaction with lower overall health care costs. It is the General Assembly's intent that any savings associated with this employee health care initiative be retained and used towards funding state employee salary or fringe benefit cost increases.

4. Notwithstanding any other provision of law, it shall be the sole responsibility and authority of the Department of Human Resource Management to establish and enforce employer contribution rates for any health insurance plan established pursuant to §2.2-2818, Code of Virginia.

5. The Department of Human Resource Management is prohibited from establishing a retail maintenance network for maintenance drugs that includes penalties for non-use of the retail maintenance network.

6. The Department of Human Resource Management shall not increase the annual out-of-pocket maximum included in the plans above the limits in effect for the plan year which began on July 1, 2014.

7. The Department of Human Resource Management shall include language in all contracts, signed on or after July 1, 2018, with third party administrators of the state employee health plan requiring the third party administrators to: 1) maintain policies and procedures for transparency in their pharmacy benefit administration programs; 2) transparently provide information to state employees through an explanation of benefits regarding the cost of drug reimbursement; dispensing fees; copayments; coinsurance; the amount paid to the dispensing pharmacy for the claim; the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager; and the amount charged by the third party administrator to the Commonwealth; and 3) provide a report to the Department of Human Resource Management of the aggregate difference in amounts between reimbursements made to pharmacies for claims covered by the state employee insurance plan, the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager, and the amount charged by the third party administrator to the Commonwealth as well as an explanation for any difference.

8. Notwithstanding the provisions of § 38.2-3418.17 and any other provision of law, effective

October 1, 2018, the Department of Human Resource Management shall provide coverage under the state employee health insurance program for the treatment of autism spectrum disorder through the age of eighteen.

H.1. Contribution rates paid to the Virginia Retirement System for the retirement benefits of public school teachers, state employees, state police officers, state judges, and state law enforcement officers eligible for the Virginia Law Officers Retirement System shall be based on a valuation of retirement assets and liabilities that are consistent with the provisions of Chapters 701 and 823, Acts of Assembly of 2012.

2. Retirement contribution rates, excluding the five percent employee portion, shall be as set out below and include both the regular contribution rate and for the public school teacher plan the rate calculated by the Virginia Retirement System actuary for the 10-year payback of the retirement contribution payments deferred for the 2010-12 biennium:

	FY 2021	FY 2022
Public school teachers	16.62%	16.62%
State employees	14.46%	14.46%
State Police Officers' Retirement System	26.33%	26.33%
Virginia Law Officers' Retirement System	21.90%	21.90%
Judicial Retirement System	29.84%	29.84%

3. Payments of all required contributions and insurance premiums to the Virginia Retirement System and its third-party administrators, as applicable, shall be made no later than the tenth day following the close of each month of the fiscal year.

4. Out of the appropriation for this Item, amounts estimated at \$15,893,697 the first year and \$16,578,460 the second year, from the general fund shall be transferred to state agencies and institutions of higher education, to support the general fund portion of costs associated with changes in employer contributions for state employee retirement as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for

retirement contributions are appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer retirement contribution rate for public school teachers is appropriated elsewhere in this act under Direct Aid to Public Education.

I. Rates paid to the Virginia Retirement System on behalf of employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local public school divisions (only to the extent that the employer contribution rate is not otherwise specified in this act), and (v) other political subdivisions shall be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to § 51.1-145(I), Code of Virginia.

J. The Virginia Retirement System Board of Trustees shall account for the employer retirement contribution payments for the public school teacher plan deferred for the 2010-2012 biennium based on limiting employer retirement contributions to the Virginia Retirement System to the actuarial normal cost. In setting the employer retirement contribution rates for the public school teacher plan for subsequent biennia, the board shall calculate a separate, supplemental employer contribution rate that will amortize such deferred payments over a period of ten years using the board's assumed long-term rate of return. The Governor shall include funds to support payment of the approved state portion of such board-approved, supplemental employer contribution rates for the public school teacher plan in the budget submitted to the General Assembly.

K.1. Contribution rates paid to the Virginia Retirement System for other employee benefits to include the public employee group life insurance program, the Virginia Sickness and Disability Program, the state employee retiree health insurance credit, and the public school teacher retiree health insurance credit, shall be based on a valuation of assets and liabilities that assume an investment return of seven percent and an amortization period of 30 years, except beginning in fiscal year 2021 the state employee retiree health credit amortization period shall be reduced by 5 years.

2. Contribution rates paid on behalf of public employees for other programs administered by the Virginia Retirement System shall be:

FY 2021

FY 2022

State employee retiree health insurance credit	1.25%	1.25%
Public school teacher retiree health insurance credit	1.21%	1.21%
State employee group life insurance program	1.34%	1.34%
Employer share of the public school teacher group life insurance program	0.54%	0.54%
Virginia Sickness and Disability Program	0.61%	0.61%

3. Funding for the Virginia Sickness and Disability Program is calculated on a rate of 0.56 percent of total payroll.
4. Out of the appropriation for this Item, amounts estimated at \$3,980,010 the first year and \$4,153,072 the second year, from the general fund shall be transferred to state agencies and institutions of higher education, to support the general fund portion of costs associated with changes in employer contributions for state employee benefits as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for public employee group life insurance contributions is appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer public school teacher group life insurance and retiree health insurance credit rates is appropriated elsewhere in this act under Direct Aid to Public Education.

- L.1. The retiree health insurance credit contribution rates for the following groups of state supported local public employees shall be: 0.36 percent for constitutional officers and employees of constitutional officers 0.38 percent for employees of local social services boards, and 0.39 percent for General Registrars and employees of General Registrars.

2. The Director, Department of Planning and Budget, shall withhold and transfer to this Item amounts estimated at \$55,805 the first year and \$55,805 the second year to reflect the general fund portion of the net savings resulting from changes in the retiree health insurance credit contribution rates for state supported local public employees through the Compensation Board, the Department of Social Services, and the Department of Elections pursuant to § 51.1-1403, Code of Virginia.

M.1. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia for employees who are involuntarily separated from employment with the Commonwealth if the Director of the Department of Planning and Budget certifies that such action results from 1. budget reductions enacted in the Appropriation Act, 2. budget reductions executed in response to the withholding of appropriations by the Governor pursuant to §4-1.02 of the Act, 3. reorganization or reform actions taken by state agencies to increase efficiency of operations or improve service delivery provided such actions have been previously approved by the Governor, or 4. downsizing actions taken by state agencies as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue, and if the Director of the Department of Human Resource Management certifies that the action comports with personnel policy. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

2. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia, for employees who are involuntarily separated from employment with the Commonwealth if the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules have certified on or after July 1, 2016, that such action results from 1. budget reductions enacted in the Appropriation Act pertaining to the Legislative Department; 2. reorganization or reform actions taken by agencies in the legislative branch of state government to increase efficiency of operations or improve service delivery provided such actions have been approved by the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules; or 3. downsizing actions taken by agencies in the legislative branch of state government as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue and if the applicable agency certifies that the actions comport with the provisions of and related policies associated with the Workforce Transition Act. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

N. The purpose of this paragraph is to provide a transitional severance benefit, under the conditions specified, to eligible city, county, school division or other political subdivision employees who are involuntarily separated from employment with their employer.

1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from employment with the employer, or being placed on leave without pay-layoff or equivalent status, due to budget reductions, employer reorganizations, workforce downsizings, or other

causes not related to the job performance or misconduct of the employee, but shall not include voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an employee who is involuntarily separated from employment with his employer.

b. The governing authority of a city, county, school division or other political subdivision electing to cover its employees under the provisions of this paragraph shall adopt a resolution, as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An election by a school division shall be evidenced by a resolution approved by the Board of such school division and its local governing authority.

2.a. Any (i) "eligible employee" as defined in § 51.1-132, (ii) "teacher" as defined in § 51.1-124.3, and (iii) any "local officer" as defined in § 51.1-124.3 except for the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or sheriff of any county or city, and (a) for whom reemployment with his employer is not possible because there is no available position for which the employee is qualified or the position offered to the employee requires relocation or a reduction in salary and (b) whose involuntary separation was due to causes other than job performance or misconduct, shall be eligible, under the conditions specified, for the transitional severance benefit conferred by this paragraph. The date of involuntary separation shall mean the date an employee was terminated from employment or placed on leave without pay-layoff or equivalent status.

b. Eligibility shall commence on the date of involuntary separation.

3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or less to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary; (ii) three years through and including nine years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary plus one additional week of salary for every year of service over two years; (iii) ten years through and including fourteen years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to twelve weeks of salary plus two additional weeks of salary for every year of service over nine years; or (iv) fifteen years or more of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to two weeks of salary for every year of service, not to exceed thirty-six weeks of salary.

b. Transitional severance benefits shall be computed by the terminating employer's payroll department. Partial years of service shall be rounded up to the next highest year of service.

c. Transitional severance benefits shall be paid by the employer in the same manner as normal salary. In accordance with § 60.2-229, transitional severance benefits shall be allocated to the date of involuntary separation. The right of any employee who receives a transitional severance benefit to also receive unemployment compensation pursuant to § 60.2-100 et seq. shall not be denied, abridged, or modified in any way due to receipt of the transitional severance benefit; however, any employee who is entitled to unemployment compensation shall have his transitional severance benefit reduced by the amount of such unemployment compensation. Any offset to a terminated employee's transitional severance benefit due to reductions for unemployment compensation shall be paid in one lump sum at the time the last transitional severance benefit payment is made.

d. For twelve months after the employee's date of involuntary separation, the employee shall continue to be covered under the (i) health insurance plan administered by the employer for its employees, if he participated in such plan prior to his date of involuntary separation, and (ii) group life insurance plan administered by the Virginia Retirement System pursuant to Chapter 5 (§ 51.1-500 et seq.) of Title 51.1, or such other group life insurance plan as may be administered by the employer. During such twelve months, the terminating employer shall continue to pay its share of the terminated employee's premiums. Upon expiration of such twelve month period, the terminated employee shall be eligible to purchase continuing health insurance coverage under COBRA.

e. Transitional severance benefit payments shall cease if a terminated employee is reemployed or hired in an individual capacity as an independent contractor or consultant by the employer during the time he is receiving such payments.

f. All transitional severance benefits payable pursuant to this section shall be subject to applicable federal laws and regulations.

4.a. In lieu of the transitional severance benefit provided in subparagraph 3 of this paragraph, any otherwise eligible employee who, on the date of involuntary separation, is also (i) a vested member of a defined benefit plan within the Virginia Retirement System, including the hybrid retirement program described in § 51.1-169, and including a member eligible for the benefits described in subsection B of § 51.1-138, and (ii) at least fifty years of age, may elect to have the employer purchase on his behalf years to be credited to either his age or creditable service or a combination of age and creditable service, except that any years of credit purchased on behalf of a member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, who is eligible for unreduced retirement shall be added to his creditable service and not his age. The cost of each year of age or creditable service purchased by the employer shall be equal to fifteen percent of the employee's present annual

compensation. The number of years of age or creditable service to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the cash value of the benefits to which the employee would be entitled under subparagraphs 3.a. and 3.d. of this paragraph by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to the next highest year. Deferred retirement under the provisions of subsection C of §§ 51.1-153 and disability retirement under the provisions of § 51.1-156 et seq., shall not be available under this paragraph.

b. In lieu of the (i) transitional severance benefit provided in subparagraph 3 of this paragraph and (ii) the retirement program provided in this subsection, any employee who is otherwise eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2.

c. The retirement allowance for any employee electing to retire under this paragraph who, by adding years to his age, is between ages fifty-five and sixty-five, shall be reduced on the actuarial basis provided in subdivision A. 2. of § 51.1-155.

d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.

e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System.

f. Notwithstanding the foregoing, the provisions of this paragraph N shall apply to an otherwise eligible employee who is a person who becomes a member on or after July 1, 2010, a person who does not have 60 months of creditable service as of January 1, 2013, or a person who is enrolled in the hybrid retirement program described in § 51.1-169, mutatis mutandis.

O.1. a. In order to address the potential for stranded liability in the Virginia Retirement System, notwithstanding any other contrary provisions of the Appropriation Act or of § 51.1-145, institutions of higher education that have established their own optional retirement plan under § 51.1-126(B) shall pay, effective July 1, 2019, contributions to the employer's retirement allowance account in an amount equal to that portion of the state employer contribution rate designated to pay down the total unfunded accrued liability, for any positions existing as of December 31, 2011 that are subsequently converted from non-Optional Retirement Plan for Higher Education (ORPHE) eligible positions to ORPHE-eligible positions on or after January 1, 2012 and that are filled by an employee who elects to participate in the ORPHE. In meeting this obligation, each institution shall provide to the Virginia Retirement System by April 1 of each year a list of all positions converted from non-ORPHE eligible positions to ORPHE-eligible positions since January 1, 2012, and whether current employees in such positions have

elected ORPHE participation.

b. Such contributions shall not be required for any new position established by the institution after January 1, 2012, that may be eligible for participation in the Optional Retirement Plan for Higher Education.

2. Furthermore, the Department of Accounts, the Virginia Retirement System, and the universities of higher education shall work to develop a methodology to identify and report separately personnel services expenditures for university personnel in positions that use to be classified positions but have been transitioned to university staff positions.

P. 1. Notwithstanding the provisions of § 17.1-327, Code of Virginia, any justice, judge, member of the State Corporation Commission, or member of the Virginia Workers' Compensation Commission who is retired under the Judicial Retirement System and who is temporarily recalled to service shall be reimbursed for actual expenses incurred during such service and shall be paid a per diem of \$250 for each day the person actually sits, exclusive of travel time.

2. Out of the general fund appropriation for this Item, \$500,000 in the first year and \$500,000 in the second year is provided to support the costs resulting from the changes in the per diem amounts provided for in paragraph P.1. The Director, Department of Planning and Budget, shall disburse funding from this Item to all affected judicial and independent agencies upon request.

Q.1. Notwithstanding § 9.1-400, Code of Virginia, or any contrary provision of law, "eligible dependent" for purposes of continued health insurance pursuant to § 9.1-401, Code of Virginia, shall also include the natural or adopted child or children of a "deceased person", as defined in § 9.1-400, Code of Virginia, or "disabled person", as defined in § 9.1-400, Code of Virginia, born as the result of a pregnancy or adoption that occurred after the time of the employee's death or disability and prior to July 1, 2017. Eligibility will continue until the end of the year in which the eligible dependent reaches age 26 or when the eligible dependent ceases to be eligible based on the Virginia Administrative Code or administrative guidance as determined by the Department of Human Resource Management.

2. Notwithstanding § 9.1-400.1 D, Code of Virginia, the annual contribution for each participating employer shall be based on a premium of \$717.31 per eligible full-time equivalent employee.

3. The Director, Department of Planning and Budget, shall transfer from this Item general fund

amounts estimated at \$202,639 the first year and \$202,639 the second year to state agencies and institutions of higher education to support the general fund portion of costs of Line of Duty Act premiums based on the latest enrollment update from the Virginia Retirement System and the premium authorized in this paragraph.

R. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at \$457,852 the first year and \$173,038 the second year from state agencies and institutions of higher education to recognize the general fund portion of savings associated with the latest workers' compensation premiums provided by the Department of Human Resource Management.

S. The following agency heads, at their discretion, may utilize agency funds to implement the provisions of new or existing performance-based pay plans:

1. The heads of agencies in the Legislative and Judicial Departments;
2. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;
3. The Attorney General;
4. The Director of the Virginia Retirement System;
5. The Executive Director of the Virginia Lottery;
6. The Director of the University of Virginia Medical Center;
7. The Chief Executive Officer of the Virginia College Savings Plan;
8. The Executive Director of the Virginia Port Authority; and
9. The Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority.

T. Out of the amounts included in this item, amounts estimated at \$1,398,067 the first year and \$4,627,062 the second year from the general fund is available for transfer to state agencies and institutions of higher education to effectuate the provisions of House Bill 395 and Senate Bill 7 which increases the minimum wage beginning January 1, 2021.

U.1. The Governor is hereby authorized to allocate a sum of up to \$118,087,286 the first year and up to \$146,766,525 the second year from this appropriation, to the extent necessary to offset any downward revisions of the general fund revenue estimate prepared for fiscal years 2021 and 2022, after the enactment by the General Assembly of the 2020 Appropriation Act. If within five days of the preliminary close of the fiscal year ending on June 30, 2020, the Comptroller's analysis does not determine that a revenue re-forecast is required pursuant to § 2.2-1503.3, Code of Virginia, then such appropriation shall be used only for employee compensation purposes as stated in paragraphs V. ,W., X., Y., Z., AA. and BB. below.

2. Furthermore, the \$95,205,619 the first year and \$194,971,850 the second year from the general fund allocated to support the state share of a two percent salary adjustment the first year and an additional two percent salary adjustment the second year for SOQ funded positions authorized in Item 145 of this act shall be unallotted, if the provisions of paragraph U.1. are not met and the actions authorized in paragraphs V., W., X., Y., Z., AA., and BB. of this item are not effectuated.

V.1. Contingent on the provisions of paragraph U.1. above, \$89,883,598 from the general fund the first year is available to provide all classified employees of the Executive Branch and other full-time employees of the Commonwealth, except elected officials and employees receiving a salary adjustment pursuant to paragraph Z. below, who were employed on April 1, 2020, and remain employed until at least November 24, 2020, a one-time bonus payment equal to three percent of their base pay on December 1, 2020.

2. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the bonus payment authorized in this paragraph only if they have attained an equivalent rating of at least "Contributor" on their performance evaluation and have no active written notices under the Standards of Conduct within the preceding twelve-month period.

3. The governing authorities of the state institutions of higher education may provide the bonus for faculty and university staff based on performance and other employment-related factors, as long as the bonuses do not exceed what the average would have been based on the general methodology authorized in this paragraph.

W. Contingent on the provisions of paragraph U.1, out of amounts appropriated for Employee Compensation in this item, \$20,725,124 from the general fund the first year is provided for a one-time bonus, equal to two percent of their base salary on December 1, 2020 provided that the governing authority of such employees use such funds to support the provision of a bonus for the following listed employees:

- a. Locally-elected constitutional officers;
- b. General Registrars and members of local electoral boards;
- c. Full-time employees of locally-elected constitutional officers and,
- d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

X.1. Contingent on the provisions of paragraph U.1. above, \$109,353,218 from the general fund the second year is provided to increase the base salary of the following employees by three percent on June 10, 2021:

- a. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;
- b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;
- c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c;
- d. Full-time staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries' Offices, including the Deputy Secretaries, the Virginia

Liaison Office, and the Secretary of the Commonwealth's Office;

e. Heads of agencies in the Legislative Department;

f. Full-time employees in the Legislative Department, other than officials elected by popular vote;

g. Legislative Assistants as provided for in Item 1 of this act;

h. Judges and Justices in the Judicial Department;

i. Heads of agencies in the Judicial Department;

j. Full-time employees in the Judicial Department;

k. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Chief Executive Officer of the Virginia College Savings Plan, and the Directors of the Virginia Lottery, and the Virginia Retirement System; and

l. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the Virginia Lottery, Virginia Workers' Compensation Commission, and the Virginia Retirement System.

2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.

b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative Departments, employees of Independent agencies, and employees of the Executive Department not subject to the Virginia Personnel Act shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. However, notwithstanding anything herein to the contrary, the governing authorities of those state institutions of higher education with employees not subject to the Virginia Personnel Act may implement salary

increases for such employees that may vary based on performance and other employment-related factors. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.

3. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan by three percent on June 10, 2021. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances when employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.

4. The following agency heads, at their discretion, may utilize agency funds or the funds provided pursuant to this paragraph to implement the provisions of new or existing performance-based pay plans:

- a. The heads of agencies in the Legislative and Judicial Departments;
- b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;
- c. The Attorney General;
- d. The Director of the Virginia Retirement System;
- e. The Director of the Virginia Lottery;
- f. The Director of the University of Virginia Medical Center;
- g. The Chief Executive Officer of the Virginia College Savings Plan; and
- h. The Executive Director of the Virginia Port Authority.

5. The base rates of pay, and related employee benefits, for wage employees may be increased by up to three percent no earlier than June 10, 2021. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.

6. The governing authorities of those state institutions of higher education with employees may provide a salary adjustment based on performance and other employment-related factors, as long as the increases do not exceed the three percent increase on average.

Y.1. Contingent on the provisions of paragraph U.1. above, the appropriations in this item include funds to increase the base salary of the following employees by three percent on July 1, 2021, provided that the governing authority of such employees use such funds to support salary increases for the following listed employees.

a. Locally-elected constitutional officers;

b. General Registrars and members of local electoral boards;

c. Full-time employees of locally-elected constitutional officers and,

d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and Comprehensive Community Corrections Act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

2. Out of the appropriation for Supplements to Employee Compensation is included \$28,897,190 the second year from the general fund to support the costs associated with the salary increase provided in this paragraph.

Z. Contingent on the provisions of paragraph U.1. above, \$5,187,764 the first year and \$6,225,317 the second year from the general fund, is available for salary adjustments for sworn officers of the Department of State Police as follows:

a. Sworn employees of the Department of State Police, who have three or more years of continuous state service shall receive \$110 for each full year of service up to thirty years, effective August 10, 2020.

b. Prior to effectuating the salary adjustment authorized in this paragraph, the base salary of all sworn officers of the State Police shall be increased by two percent, effective August 10, 2020.

c. The Department of Human Resource Management shall adjust the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan as needed to effectuate the pay action in this paragraph.

AA. Contingent on the provisions of paragraph U.1. above, included in the appropriation for this item is \$2,290,800 the first year from the general fund to provide a three percent bonus on December 1, 2020 year for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions.

BB. Contingent on the provisions of paragraph U.1. above, included in the appropriation for this item is \$2,290,800 the second year from the general fund to provide a three percent increase in base pay for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions, effective June 10, 2021."

Explanation:

(This amendment reduces by half the funding provided for the employer share of health insurance premium increases, due to sufficient Health Insurance Fund (HIF) balances. Chapter 1289, 2020 Acts of Assembly reflected a second year increase of 6.7 percent, based on actuarially projected growth in health care costs, enrollment updates, and actual 2019 health care claims expenditures. The HIF balance as of July 2020 was approximately \$535.2 million.)

Item 479.10 #1s

Central Appropriations

Central Appropriations

Language

Language:

Page 204, line 9, strike "Not set out." and insert:

"A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the

Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. Such appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, i) relief to small businesses, ii) assistance for housing and homelessness, iii) assistance for long term care facilities, and iv) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.

E.1. The Governor is hereby authorized to allocate and appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant the Coronavirus Relief Fund as authorized in the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), up to the amounts as follows:

Funding Allocations	FY 2020	FY 2021
<i>Distributed to Localities</i>	\$644,573,383	\$644,573,383
<i>VDEM -Testing</i>	\$42,338,400	\$0
<i>VDEM - PPE</i>	\$97,000,000	\$0
<i>VDEM - Other</i>	\$33,722,001	\$0
<i>VDH - Replace Deficit Authorization</i>	\$3,291,300	\$0
<i>VDH - Contact Tracing and UVA Equipment</i>	\$59,157,614	\$0
<i>DGS - Consolidated Labs</i>	\$6,052,673	\$0
<i>DHCD - Emergency Housing for Homeless</i>	\$5,528,998	\$3,300,000
<i>FY 2020 Agency-based Requests</i>	\$80,480,698	\$0
<i>DHCD - Mortgage and Rental Assistance</i>	\$10,000,000	\$40,000,000
<i>DSBSD - Small Business Assistance Grants</i>	\$0	\$70,000,000
<i>DMAS - Long-term Care Facilities</i>	\$0	\$55,640,872
<i>DMAS - PPE for Personal Care Attendants</i>	\$0	\$9,256,178
<i>VDACS - Food Insecurity</i>	\$0	\$1,211,953
<i>DSS - Food Security - Expand Emergency Food Supply Package</i>	\$0	\$650,000
<i>VDEM - Food Security - Purchase One million MREs</i>	\$0	\$2,000,000
<i>VDEM - Priority PPE (Healthcare and Congregate Care Facilities, Local Health Districts, Childcare Facilities)</i>	\$0	\$42,112,285
<i>VDH - Carillion Serology Study</i>	\$0	\$566,309
<i>VDH - Testing and Contracting</i>	\$0	\$71,829,059
<i>VDH - Environmental Health Specialists for Executive Order Enforcement</i>	\$0	\$4,457,085
<i>DBHDS - State Hospital Census Support</i>	\$0	\$2,800,000
<i>VDEM - COVID-19 Pandemic Response</i>	\$0	\$57,324,110
<i>VDH - Point of Care Antigen Testing</i>	\$0	\$16,010,500
TOTAL	\$982,145,067	\$1,021,731,734

F. It is the intent of the General Assembly that temporary financial assistance be provided to public institutions of higher education for requests made for fiscal year 2021. The Governor is authorized to allocate up to \$65,000,000 of federal Coronavirus Relief Funds for this purpose, including to the University of Virginia and Virginia Commonwealth University for requested capital projects related to dealing with the COVID-19 pandemic.

G. It is the intent of the General Assembly that federal relief funds be used to support child care stabilization grants with local community partnerships and providers. The Governor is authorized to allocate up to \$20,000,000 of federal Coronavirus Relief Funds for this purpose. Grant criteria shall be developed by the Department of Social Services in consultation with the Department of Education. Grants awarded shall support communities or regional collaboratives to provide additional child care classrooms, home-based child care providers, or responses to short term needs to respond to virtual learning during the COVID-19 emergency.

H. It is the intent of the General Assembly that temporary financial assistance be provided to consumer-directed personal care attendants in the Medicaid program. The Governor is authorized to allocate up to \$34,000,000 of federal Coronavirus Relief Funds, if determined to be permissible and feasible, to provide an increase in the hourly rate of up to 20 percent for up to three months or to make a one-time payment based on a similar methodology that provides financial assistance to consumer-directed personal care attendants to ensure such workers can continue to serve elderly and disabled Medicaid recipients in their homes during the COVID-19 pandemic.

I. It is the intent of the General Assembly that temporary financial assistance be provided to Developmental Disability waiver providers in the Medicaid program to offset COVID-19 related costs and to stabilize the workforce to ensure continued access to such critical services. The Governor is authorized to allocate up to \$40,000,000 of federal Coronavirus Relief Funds, if determined to be permissible and feasible, for this purpose.

J. It is the intent of the General Assembly that temporary financial assistance be provided to local school divisions in responding to the COVID-19 pandemic. The Governor is authorized to allocate up to \$200,000,000 of federal Coronavirus Relief Funds for this purpose.

K. It is the intent of the General Assembly that financial assistance be provided to state agencies in responding to the COVID-19 pandemic. The Governor is authorized to allocate up to \$25,500,000 of federal Coronavirus Relief Funds for this purpose.

L. It is the intent of the General Assembly that temporary financial assistance grants be provided to Virginia-based recreation and tourism businesses in order to stabilize and support the ongoing availability of outdoor recreational opportunities during the COVID-19 pandemic. The Governor is authorized to allocate up to \$15,000,000 of federal Coronavirus Relief Funds, if determined to be permissible and feasible for this purpose.

M. It is the intent of the General Assembly that the Governor may deposit the remaining balance of federal Coronavirus Relief Funds into the Unemployment Trust Fund, if permissible

by law, to reduce the impact of future unemployment taxes on small businesses.

N.1. There is hereby created a Joint Subcommittee of the House Appropriations and Senate Finance and Appropriations Committees to review, provide advice to the Governor and provide oversight of the use of the Coronavirus Relief Fund (CRF) created pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) or other federal relief funds whereby discretion is provided to the state on how such funds shall be allocated. The joint subcommittee shall consist of eight members, including the Chair of the House Appropriations Committee and three members of the House Appropriations Committee selected by the Chair, the Chair of the Senate Finance and Appropriations Committee and three members of the Senate Finance and Appropriations Committee selected by the Chair. The secretaries of Finance, Commerce and Trade, Health and Human Resources, and Public Safety and Homeland Security shall also be available to provide technical assistance to the joint subcommittee. The joint subcommittee shall be staffed by the staff of House Appropriations and Senate Finance and Appropriations committees.

2. The Joint Subcommittee shall work with the Governor to consider and examine all currently allocated and potential uses of the CRF in providing assistance to state agencies, institutions of higher education, local governments, private non-profit or for-profit businesses, and citizens of the Commonwealth that have been negatively impacted economically due to the effects of the Coronavirus Pandemic. The joint subcommittee shall make recommendations, consistent with the requirements of the CARES Act and any federal regulations or guidance, to the Governor for his consideration. The Governor shall within five days of the enactment of this act, provide information to the joint subcommittee on previous allocations of CRF funding, expenditures to date, and requests under consideration.

3. No less than five days prior to the allocation or appropriation of discretionary federal relief funds, including the CRF, the Governor shall submit his proposal or proposed allocation to the Joint Subcommittee, which shall review and recommend approval or denial of such uses to the Governor within five days. The Governor shall notify the chairs of the Senate Finance and Appropriations Committee and the House Appropriations Committee in writing within five days concerning his decision to appropriate and allocate federal relief funds having previously been considered by the Joint Subcommittee."

Explanation:

(This amendment sets out the allocations from the Coronavirus Relief Fund, which is part of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136). Virginia's allocation was \$3.1 billion. The amendment also allocates funding, as feasible, to provide: (i) assistance of up to \$65.0 million to public institutions of higher education for requests made for fiscal year 2021, including two capital projects; (ii) support for child care stabilization grants with local community partnerships and providers; (iii) an increase in the hourly pay rate of up to 20 percent for up to three months or a one-time payment based on a similar methodology that provides financial assistance to consumer-directed personal care attendants to ensure such workers can continue to serve elderly and disabled Medicaid

recipients in their homes during the COVID-19 pandemic; (iv) to provide support to developmental disability providers; (v) support to local school divisions; (vi) assistance to state agencies; (vii) assistance to the recreation and tourism industries; and (viii) support to the Unemployment Trust Fund from remaining balances to reduce the impact of future unemployment taxes on small businesses. In addition, the amendment establishes a Joint Subcommittee of the House Appropriations and Senate Finance and Appropriations Committee to review, provide advice to the Governor and provide oversight of the use of the Coronavirus Relief Fund (CRF) created pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) or other federal relief funds whereby discretion is provided to the state on how such funds shall be allocated.)

Item 479.10 #2s

Central Appropriations

Central Appropriations

Language

Language:

Page 204, line 9, strike "Not set out." and insert:

“A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

- a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.
- b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.
- c. Agencies receiving federal relief funds shall comply with any requirements established to

ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. *The Governor shall appropriate an amount up to \$95,300,000 the first year from the COVID-19 Relief Fund in Item 145 for COVID-19 Local Relief Payments if sufficient revenue has been deposited to the fund by June 1, 2021 to cover these payments. These funds shall be distributed as prescribed in Item 145 to support COVID-19 Relief Payments. Any additional* ~~Such~~ appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, ~~i) assistance for public education, ii) relief to small businesses, iii) assistance for housing and homelessness, iv) assistance for long term care facilities, and v) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic.~~ ~~Such~~ appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, *i) assistance for public education, ii) relief to small businesses, iii) assistance for housing and homelessness, iv) assistance for long term care facilities, and v) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic.* The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium."

Explanation:

(This amendment provides an appropriation of up to \$95.3 million the first year from the COVID-19 Relief Fund in Item 145 for COVID-19 Local Relief Payments to support the costs of the Standards of Quality. The appropriation for the COVID-19 Local Relief Payments is contingent upon actual revenues collected and deposited to the COVID-19 Relief Fund by June 1, 2021 to cover these payments.)

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"E. The Director, Department of Planning and Budget, shall unallot \$30,000,000 from the general fund in this Item and revert the appropriation to the general fund, on or before June 30, 2021, which reflects carryforward balances from fiscal year 2020."

Explanation:

(This amendment includes language to revert \$30 million of the \$50 million general fund provided in fiscal year 2020 to respond to the COVID-19 pandemic. The funding was reappropriated in fiscal year 2021. To date, \$1.9 million has been used for state match. This amendment leaves \$18.1 million for other potential unknown costs. Federal relief funds have provided the Commonwealth with substantial resources to respond to the pandemic and this reversion diverts this funding to other critical items needing state funding. Such funding is reflected in other amendments such as the extension of the \$20 per day nursing home payment through Medicaid. Item 479.10 will be set out upon enrolling of the bill.)

Item 479.20 #1s

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"1. It is the intent of the General Assembly that based on actual collections of general fund revenues through June 15, 2021, that the Governor shall estimate the total expected fiscal year 2021 general fund revenues and if such estimate of general fund revenues are above the official general fund revenue estimate for fiscal year 2021 used in this act, such additional revenue shall be allocated to fund the following items in priority order in fiscal year 2022:

Agency		FY 2022
Department of Behavioral Health and Developmental Services	Increase permanent supportive housing capacity	\$5,000,000
Department of Behavioral Health and Developmental Services	Provide funds for partial implementation of STEP-VA	\$18,607,414
Department of Medical Assistance Services	Increase mental health provider rates	\$2,458,479

Department of Medical Assistance Services	Enhance behavioral health services	\$10,273,553
Direct Aid to Public Education	Increase support for at-risk students	\$35,173,962
Direct Aid to Public Education	Maximize pre-kindergarten access for at-risk three- and four-year-old children	\$48,436,297
Department of Medical Assistance Services	Increase DD Waiver Provider Rates Based on Updated Data	\$11,018,539
Department of Medical Assistance Services	Increase Developmental Disability (DD) waiver rates	\$1,874,427
Department of Medical Assistance Services	Increase rates for skilled and private duty nursing services (80% of Benchmark)	\$3,666,899
Department of Medical Assistance Services	Additional 8 Hours of Overtime for Personal Care Attendants	\$3,190,283
Department of Medical Assistance Services	Increase Rates for Psychiatric Residential Treatment Facilities	\$7,599,696
Department of Medical Assistance Services	Restore 550 Developmental Disability Waiver Slots	\$11,595,774
Department of Medical Assistance Services	Fund home visiting services	\$11,750,159
Department of Social Services	Fund local departments of social services prevention services	\$17,437,461
Department of Corrections	Fund Electronic Health Records	\$8,935,649
Department of Medical Assistance Services	Increase Medicaid Nursing Facility Reimbursement	\$6,984,788
Central Appropriations	Two Percent Bonus for State Employees, Teachers and State-supported locals	\$169,473,233
TOTAL		\$373,467,613

2. Contingent on the provisions of paragraph 1. above, and according to the specified prioritization, \$66,121,924 from the general fund shall be made available to provide all classified employees of the Executive Branch and other full-time employees of the

Commonwealth, except elected officials, who were employed on December 1, 2020 and remained employed at least until July 24, 2021, a one-time bonus payment equal to two percent of their base pay on August 1, 2021.

3. Furthermore, contingent on the provisions of paragraph 1 above, and according to the specified prioritization, \$20,725,127 from the general fund shall be made available to provide to a one-time bonus payment equal to two percent of the base salaries of the following listed employees on August 1, 2021, provided that the governing authority of such employees use such funds to support the provision of a bonus:

- a. Locally-elected constitutional officers;
- b. General Registrars and members of local electoral boards;
- c. Full-time employees of locally-elected constitutional officers and,
- d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

4. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the bonus payment authorized in this paragraph only if they have attained an equivalent rating of at least "Contributor" on their performance evaluation and have no active written notices under the Standards of Conduct within the preceding twelve-month period.

5. The governing authorities of the state institutions of higher education may provide the bonus for faculty and university staff based on performance and other employment-related factors, as long as the bonuses do not exceed what the average would have been based on the general methodology authorized in this paragraph.

6. Contingent on the provisions of paragraph 1 above, and according to the specified prioritization, \$82,626,182 from the general fund shall be made available from the general fund for the state share of a one-time bonus payment equal to two percent of base pay on August 1, 2021, for funded SOQ instructional and support positions and Academic Year Governor's School instructional and support positions.

7. The Director, Department of Planning and Budget, shall have authority to adjust the

appropriation reversion amounts in the second year contained in Item 482.20 to reflect items funded as a result of paragraph 1.

8. Should the additional revenue pursuant to paragraph 1 be insufficient to fund all the items listed, then the Governor shall fund those items listed in priority order for which the additional revenue is sufficient to fully fund."

Explanation:

(This amendment provides that any additional revenue for fiscal year 2021 as a result of the higher than forecast general fund revenues in the fiscal year will be used for the listed high priority funding items in fiscal year 2022.)

	Item 482.20 #1s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$3,289,890 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,250,587".
 Page 205, line 9, strike "\$1,335,540,477" and insert "1,332,250,587".
 Page 215, line 15, strike "\$3,289,890" and insert "\$0".
 Page 216, line 8, strike "\$127,501,107" and insert "\$124,211,217".

Explanation:

(This amendment restores \$3.3 million general fund the second year to eliminate, effective July 1, 2021, the current Medicaid requirement that legal permanent residents have 40 quarters (10 years) of work experience in order to be eligible for Medicaid benefits. Federal law requires five years of legal residence to qualify for Medicaid but Virginia requires 10 years of work experience, one of six states with such a requirement. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

	Item 482.20 #2s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$250,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".

Page 208, strike line 9 through line 10.
Page 208, line 32, strike "\$178,344,517" and insert "\$178,094,517".

Explanation:

(This amendment restores funding to the Emil and Grace Shihadeh Innovation Center for one-time support for furniture and equipment. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #3s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$100,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,915,992".
Page 205, line 9, strike "\$754,015,992" and insert "\$753,915,992".
Page 218, strike line 45 through line 46.
Page 219, line 3, strike "\$1,082,144" and insert "\$982,144".

Explanation:

(This amendment restores funding for the County of Gloucester in support of the historic preservation of the Woodville School.)

Item 482.20 #4s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$250,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".
Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".
Page 218, strike line 48 through line 49.
Page 219, line 3, strike "\$1,082,144" and insert "\$832,144".

Explanation:

(This amendment restores funding to the County of Fairfax to support NOVA Parks in commemoration of the centennial of Women's Suffrage.)

Item 482.20 #5s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$500,000 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,040,477".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,040,477".
 Page 218, line 22, strike the second "\$500,000" and insert "\$0".
 Page 218, line 28, strike "\$27,935,341" and insert "\$27,435,341".

Explanation:

(This amendment restores second year funding of \$500,000 GF for preventive maintenance needs across the Virginia State Park System.)

Item 482.20 #6s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$161,719	\$323,437 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,854,273".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,217,040".
 Page 205, line 27, strike the first occurrence of "\$323,437" and insert "\$161,718".

 Page 205, line 27, strike the second occurrence of "\$323,437" and insert "\$0".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,854,273" and strike "\$1,335,540,477" and insert "\$1,335,217,040".

Explanation:

(This amendment restores funding related to a new judgeship in the 19th judicial district that was unallotted in Chapter 1289, 2020 Acts of Assembly. The first year funding is prorated six months, with an effective date of January 1, 2021.)

Item 482.20 #7s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$5,732,280	\$7,596,300 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$748,283,712".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,327,944,177".

Page 205, strike lines 25 through 26.

Page 205, line 9, strike "\$754,015,992" and insert "\$748,283,712" and strike "\$1,335,540,477" and insert "\$132,794,417".

Explanation:

(This amendment restores funding of \$5.7 million GF the first year and \$7.6 million GF the second year related to additional district court clerk positions that was unallotted in Chapter 1289, 2020 Acts of Assembly.)

	Item 482.20 #8s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$3,798,726	\$5,698,089 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$750,217,266".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,842,388".

Page 205, strike lines 30 through 34.

Page 205, line 9, strike "\$754,015,992" and insert "\$750,217,266" and strike "\$1,335,540,477" and insert "\$1,329,842,388".

Explanation:

(This amendment restores funding of \$3.8 million GF the first year and \$5.7 million GF the second year related to additional public defender positions for the Indigent Defense Commission that was unallotted in Chapter 1289, 2020 Acts of Assembly.)

	Item 482.20 #9s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$17,486,839 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,318,053,638".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,318,053,638".

Page 215, line 7, strike "\$25,304,935" and insert "\$7,818,096".

Page 216, line 8, strike "\$127,501,107" and insert "\$110,014,268".

Explanation:

(This amendment restores \$17.5 million from the general fund the second year to add a

Medicaid adult dental benefit to take effect on July 1, 2021. This benefit was funded in the 2020 Appropriation Act to take effect January 1, 2021, but subsequently was unallotted in the April 2020 Reconvened Session and has been proposed to be eliminated in the Governor's proposed budget for the Special Session.)

Item 482.20 #10s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,209,470	\$6,418,940	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$750,806,522".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,121,537".
- Page 205, line 9, strike "\$754,015,992" and insert "\$750,806,522".
- Page 205, line 9, strike "\$1,335,540,477" and insert "1,329,121,537".
- Page 215, line 13, strike the first "\$9,609,223" and insert "\$6,399,753".
- Page 215, line 13, strike the second "\$9,609,223" and insert "\$3,190,283".
- Page 216, line 8, strike "\$79,572,610" and insert "\$76,363,140".
- Page 216, line 8, strike "\$127,501,107" and insert "\$121,082,167".

Explanation:

(This amendment restores \$3.2 million the first year and \$6.4 million the second year from the general fund to pay overtime compensation to personal care attendants who are providing care under the consumer-directed service option in Medicaid waivers. The amendment allows Medicaid to pay time and a half for up to 8 hours for a single attendant who works more than 40 hours per week, beginning January 1, 2021. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #11s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$557,468	\$2,116,376	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$753,458,524".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,424,101".
- Page 205, line 9, strike "\$754,015,992" and insert "\$753,458,524".
- Page 205, line 9, strike "\$1,335,540,477" and insert "1,333,424,101".
- Page 215, line 22, strike "\$1,114,936" and insert "\$557,468".

Page 215, line 22, strike "\$2,116,376" and insert "\$0".
 Page 216, line 8, strike "\$79,572,610" and insert "\$79,015,142".
 Page 216, line 8, strike "\$127,501,107" and insert "\$125,384,731".

Explanation:

(This amendment restores \$557,468 the first year and \$2.1 million the second year from the general fund to extend postpartum coverage for women in the FAMIS program from two months to 12 months, effective January 1, 2021. Funding for this coverage extension was included in the 2020 Appropriation Act but subsequently unallotted in April due to the COVID-19 pandemic, and proposed to be eliminated in the introduced budget for the Special Session. Women with income from 143 to 205 percent of the federal poverty level are currently eligible for coverage in the FAMIS program during pregnancy through 60 days postpartum. FAMIS is funded through the federal Children’s Health Insurance Program with a typical 35 percent state match.)

Item 482.20 #12s		
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$352,534 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,187,943".
 Page 205, line 9, strike "\$1,335,540,477" and insert "1,335,187,943".

Page 215, line 48, strike "\$352,534" and insert "\$0".

Page 216, line 8, strike "\$127,501,107" and insert "\$127,148,573".

Explanation:

(This amendment restores \$352,534 the second year from the general fund to require Medicaid managed care organizations to reimburse at no less than 90 percent of the state Medicaid fee schedule for durable medical equipment. These funds were included in the budget passed in March 2020, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #13s		
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$2,578,387 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,962,090".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,333,062,090".
 Page 215, line 46, strike the second "\$6,245,286" and insert "\$3,666,899".
 Page 216, line 8, strike "\$127,501,107" and insert "\$124,922,720".

Explanation:

(This amendment restores funding to increase Medicaid reimbursement for skilled and private duty nursing to 75 percent of the benchmark rate effective July 1, 2021. This increase applies to skilled nursing services provided through the Developmental Disability Waiver programs and private duty nursing services including congregate nursing services provided in the Commonwealth Coordinated Care Plus Waiver, the Developmental Disability Waiver programs and the Early and Periodic Screening, Diagnostic and Treatment program. This amendment increases the skilled nursing rates by 8.8 percent and private duty nursing rates by an average of 4.7 percent. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #14s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$262,491	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,277,986".
 Page 205, line, strike "\$1,335,540,477" and insert "1,335,277,986".
 Page 215, line 36, strike "\$262,491" and insert "\$0".
 Page 216, line 8, strike "\$127,501,107" and insert "\$127,238,616".

Explanation:

(This amendment restores \$262,491 the second year from the general fund to increase Medicaid reimbursement for anesthesiologists to 70 percent of the equivalent Medicare rate in the fee for service and managed care programs. The intent of the 2019 General Assembly was to increase Medicaid reimbursement to 70 percent of the equivalent Medicare fee to physicians who were reimbursed less than 70 percent of Medicare rates. The anesthesiologists qualified for this increase but were inadvertently left out of the budget language. This ensures that the error is corrected. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #15s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$250,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".
 Page 214, strike lines 14 and 15.
 Page 214, line 18, strike "\$300,000" and insert "\$50,000".

Explanation:

(This amendment restores \$250,000 the first year from the general fund to restore funding to complete the rate study for private day special education programs funded through the Children's Services Act. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #16s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$300,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,715,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,715,992".
 Page 215, strike line 50.
 Page 216, line 8, strike "\$79,572,610" and insert "\$79,272,610".

Explanation:

(This amendment restores \$300,000 the first year from the general fund for the Department of Medical Assistance Services to contract with a consultant with expertise in health care rate setting to thoroughly analyze current Medicaid rates for services likely impacted by an increase in the state minimum wage and to make recommendations for rate adjustments as appropriate. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #17s

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$1,350,000	\$2,600,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,665,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,940,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$752,665,992".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,332,940,477".
 Page 215, strike lines 8 and 9.
 Page 216, line 8, strike "\$79,572,610" and insert "\$78,222,610".
 Page 216, line 8, strike "\$127,501,107" and insert "\$124,901,107".

Explanation:

(This amendment restores \$1.4 million the first year and \$2.6 million the second year to fully fund an error in the Official Medicaid Forecast that removed funding for new graduate medical residency slots funded through Medicaid. Included in this funding is \$100,000 from the general fund and \$100,000 from nongeneral funds for the Graduate Medical Education residency program each year of the biennium, to provide funding for 27 slots, rather than 25, for the residents who started in July 2021. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #18s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$12,892,966	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,322,647,511".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,322,647,511".
 Page 215, line 30, strike "\$22,037,077" and insert "\$11,018,538".
 Page 215, line 32, strike "\$3,748,853" and insert "\$1,874,426".
 Page 216, line 8, strike "\$127,501,107" and insert "\$114,608,141".

Explanation:

(This amendment restores \$12.9 million the second year from the general fund to fund half the increase in provider rates for services provided through the current Medicaid Developmental Disability Waiver programs using updated data, including wage assumptions, to 100 percent of the rate model benchmark. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session. A separate amendment funds the remaining half of the provider rate increase contingent on additional revenues above the forecast.)

Item 482.20 #19s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$7,500,000	\$10,000,000	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$746,515,992".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,325,540,477".
- Page 205, line 9, strike "\$754,015,992" and insert "\$746,515,992".
- Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,325,540,477".
- Page 216, line 15, strike "\$7,500,000" and insert "\$0".
- Page 216, line 15, strike "\$12,500,000" and insert "\$2,500,000".
- Page 216, line 27, strike "\$20,713,104" and insert "\$13,213,104".
- Page 216, line 27, strike "\$26,155,627" and insert "\$23,655,627".

Explanation:

(This amendment restores \$7.5 million the first year and \$10.0 million the second year to fund statewide discharge assistance plans to address census issues at state facilities by increasing the availability of community-based services for individuals determined clinically ready for discharge. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #20s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$2,500,000	\$5,000,000	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$751,515,992".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,330,540,477".
- Page 205, line 9, strike "\$754,015,992" and insert "\$751,515,992".
- Page 205, line 9, strike "\$1,339,540,477" and insert "\$1,330,540,477".
- Page 216, line 18, strike the first "\$7,500,000" and insert "\$2,500,000".
- Page 216, line 18, strike the second "\$7,500,000" and insert "\$5,000,000".
- Page 216, line 27, strike "\$20,713,104" and insert "\$18,213,104".
- Page 216, line 27, strike "\$26,155,627" and insert "\$21,155,627".

Explanation:

(This amendment restores \$2.5 million the first year and \$5,000,000 the second year from the general fund to fund various pilot programs in the Commonwealth to help address census

pressures on state psychiatric hospitals. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #21s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,000,000	\$12,000,000	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$751,015,992".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,323,540,477".
- Page 205, line 9, strike "\$754,015,992" and insert "\$751,015,992".
- Page 205, line 9, strike "\$1,355,540,477" and insert "\$1,323,540,477".
- Page 216, line 32, strike "\$8,500,000" and insert "\$5,500,000".
- Page 216, line 32, strike "\$17,000,000" and insert "\$5,000,000".
- Page 216, line 36, strike "\$29,604,173" and insert "\$26,604,173".
- Page 216, line 36, strike "\$49,252,214" and insert "\$37,252,214".

Explanation:

(This amendment restores \$3.0 million the first year and \$12.0 million the second year to increase permanent supportive housing capacity to serve more individuals with serious mental illness and provide stable housing. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #22s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$2,112,194	\$4,224,388	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$751,903,798".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,316,089".
- Page 205, line 9, strike "\$754,015,992" and insert "\$751,903,798".
- Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,331,316,089".
- Page 216, line 20, strike the first "\$4,224,388" and insert "\$2,112,194".
- Page 216, line 20, strike the second "\$4,224,388" and insert "\$0".
- Page 216, line 27, strike "\$20,713,104" and insert "\$18,600,910".
- Page 216, line 27, strike "\$26,155,627" and insert "\$21,931,239".

Explanation:

(This amendment restores \$2.1 million the first year and \$4.2 million the second year to fully fund statewide implementation, effective January 1, 2021, of the Virginia Mental Health Access Program (VMAP), an integrated care program that increases access for children and adolescents to behavioral health services through enhanced pediatric training, psychiatric consultations, telehealth, and care navigation. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #23s		
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$11,544,000 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,323,996,477".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,323,996,477".
 Page 216, line 34, strike "\$30,151,414" and insert "\$18,607,414".
 Page 216, line 36, strike "\$49,252,214" and insert "\$37,708,214".

Explanation:

(This amendment restores \$11.5 million the second year from the general fund to restore crisis services as part of STEP-VA. The funding includes \$6.8 million for mobile crisis services and \$4.7 million for crisis dispatch that will assist in implementation of Senate Bill 5038, that creates a mental health awareness response system. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #24s		
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$579,951	\$1,159,901 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,436,041".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,380,576".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,436,041".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,334,380,576".
 Page 217, line 47, strike the first "\$1,159,901" and insert "\$579,950".

Page 217, line 47, strike the second "\$1,159,901" and insert "\$0".
 Page 217, line 51, strike "\$31,646,263" and insert "\$31,066,312".
 Page 217, line 51, strike "\$41,188,197" and insert "\$25,032,570".

Explanation:

(This amendment restores \$579,951 the first year and \$1.2 million the second year to fund a 15 percent increase in TANF cash assistance payments to two-parent families. On July 1, 2020, the increase was provided to most TANF families, however cash assistance for two-parent families are funded from the general fund, and the associated funding included in the budget passed in March, was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session. This amendment restores the funding to allow two-parents families to receive the 15 percent increase beginning January 1, 2021.)

Item 482.20 #25s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$400,000	\$0	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,615,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,615,992".
 Page 208, line 36, strike the first "\$400,000" and insert "\$0".

Explanation:

(This amendment restores \$400,000 the first year only in additional funding for the Virtual Library of Virginia. New funding included in the budget passed in March, was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session. This amendment restores the funding.)

Item 482.20 #26s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$1,150,000	\$2,300,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,865,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,240,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$752,865,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,333,240,477".
 Page 219, line 47, strike the first "\$2,300,000" and insert "\$1,150,000".
 Page 219, line 47, strike the second "\$2,300,000" and insert "\$0."

Page 219, line 52, strike the first "\$13,878,574" and insert "\$12,728,574".
Page 219, line 52, strike the second "\$13,878,574" and insert "\$11,578,574".

Explanation:

(This amendment restores \$1.2 million the first year and \$2.3 million the second year from the general fund to increase the amount available to the Department of Criminal Justice Services to distribute to local community corrections programs for pretrial and probation services. The funding provides for programs to be established in 33 localities lacking such programs. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #27s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$500,000	\$1,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,515,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,540,477".
Page 205, line 9, strike "\$754,015,992" and insert "\$753,515,992".
Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,334,540,477".
Page 219, line 43, strike the first "\$1,000,000" and insert "\$500,000".
Page 219, line 43, strike the second "\$1,000,000" and insert "\$0."
Page 219, line 52, strike the first "\$13,878,574" and insert "\$13,378,574".
Page 219, line 52, strike the second "\$13,878,574" and insert "\$12,878,574".

Explanation:

(This amendment restores \$0.5 million the first year and \$1.0 million the second year from the general fund to increase the amount available to the Department of Criminal Justice Services for pre-release and post-incarceration services. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #28s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$200,000	\$200,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,815,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,340,477".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,815,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,340,477".
 Page 219 strike line 45 through line 46.
 Page 219, line 52, strike each instance of "\$13,878,574" and insert: "\$13,678,574)."

Explanation:

(This amendment restores \$0.2 million in each year from the general fund to increase the amount available to the Department of Criminal Justice Services to make grants to organizations for post-critical incident support for law enforcement officers. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #29s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,000,000	\$3,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$751,015,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,540,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$751,015,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,332,540,477".
 Page 219, strike line 35 through line 37.
 Page 219, line 38, strike "\$15,142,502" and insert "\$12,142,502)."
 Page 219, line 38, strike "\$26,956,626" and insert "\$23,956,626)."

Explanation:

(This amendment restores \$3.0 million in each year from the general fund for the Department of Corrections to implement an electronic health records system for all correctional facilities. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session.)

Item 482.20 #30s

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$376,364	\$376,364	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,639,628)."
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,164,113)."

Page 205, line 9, strike "\$754,015,992" and insert "\$753,639,628".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,164,113".
 Page 218, strike line 18.
 Page 218, line 28, strike "\$3,398,510" and insert "\$3,022,146".
 Page 218, line 28, strike "\$27,935,341" and insert "\$27,558,977".

Explanation:

(This amendment restores dedicated operating support to the public operations of Natural Bridge State Park.)

	Item 482.20 #31s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$10,000,000	\$24,000,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$744,015,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,311,540,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$744,015,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,311,540,477".
 Page 209, line 29, strike "\$10,000,000" and insert "\$5,000,000".
 Page 209, line 29, strike "\$12,000,000" and insert "\$0".
 Page 210, line 13, strike "\$10,000,000" and insert "\$5,000,000".
 Page 210, line 13, strike "\$12,000,000" and insert "\$0".

Explanation:

(This amendment restores \$5.0 million each the first year and \$12.0 million each the second year for George Mason University and Old Dominion University to begin addressing funding disparities due to enrollment growth for in-state students, continued increases in two-year transfer students, and educational program development to support economic growth. Funding was included in the budget passed in March, was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the Special Session. This amendment restores half of the original amount of funding in the first year and the full amount in the second year.)

	Item 482.20 #32s	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$342,678	\$209,509 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,673,314".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,330,968".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,673,314".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,330,968".
 Page 218, strike line 24 through line 25.

Page 218 line 28, strike "\$3,398,510" and insert "\$3,055,832".
 Page 218 line 28, strike "\$27,935,341" and insert "\$27,725,832".

Explanation:

(This amendment restores funding for the operation of the Green Pastures Recreation Area as a satellite facility of Douthat State Park.)

Item C-56 #1s

Public Safety and Homeland Security

Department of State Police

Language

Language:

Page 228, line 10, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.

"A. This appropriation is the second and third of a four year allocation to implement an upgrade program for the Statewide Agencies Radio System (STARS) project. It may consist of, but is not limited to, land; mobile telecommunications equipment and towers; software; radio frequency rights and licenses; communications control buildings and facilities; related infrastructure; program management; and other project costs necessary, incidental or convenient to undertake, acquire, develop, construct, upgrade, and equip the integrated statewide shared land-mobile radio communications system for the Commonwealth.

B.1. It is the intent of the General Assembly that the Statewide Agencies Radio System (STARS) that is managed by the Department of State Police for the purpose of interoperable communications among law enforcement agencies in the Commonwealth during critical public safety events, be procured competitively and with non-proprietary technology, in order to maximize efficiency and participation among law enforcement users.

2. Notwithstanding Item C-56 of Chapter 1289, 2020 Acts of Assembly, or Items C-34.10 and C-34.20 of Chapter 854, 2019 Acts of Assembly, the Department of State Police shall not procure any major technology or hardware upgrades or replacements of the existing system until after the report directed in paragraph B.3. of this item is presented to the General Assembly and further authorization is made in an Appropriation Act.

3. The Department of State Police, in collaboration with the Chief Information Officer of the Virginia Information Technology Agency, shall submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 18, 2020, which includes the following information: (i) An update on the status of all equipment owned by the Department and when it was purchased or replaced; (ii) A discussion of recent procurement efforts for replacement of the STARS system, which details the components based on standard "Project-25" (P-25) technology and any components which were bid based on non-standard (P-25) technology; (iii) An updated estimate on the total cost of upgrading the system based on P-25 technology, as well as an overview of annual operating expenses and FTEs and wage employees assigned to manage the system."

Explanation:

(This amendment directs the Department of State Police to report on the procurement of a replacement for the Statewide Agencies Radio System. The amendment also prohibits further action on the existing procurement with funding that was authorized in Chapters 854 of the 2019 Acts of Assembly, and Chapter 1289 of the 2020 Acts of Assembly, until submission of the report required and further authorization is granted in a future Appropriation Act.)

Item C-69 #1s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 230, line 46, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

Page 592, strike paragraph A.1. and insert:

"A. 1. Included in this Item is \$170,700,000 in bond appropriation which may be transferred between and among the capital project pools listed, *or any project within a listed pool notwithstanding § 2.2-1519 E*, in paragraph O. of § 2-0 of this act in order to address any shortfall in appropriation in one or more of such project pools *or project*, pursuant to the provisions of § 2-0, paragraph O., of this act and may be financed in whole or in part through bonds of the Virginia College Building Authority pursuant to § 23.1-1200 et seq., Code of Virginia, or the Virginia Public Building Authority pursuant to § 2.2-2260 et seq., Code of Virginia. Bonds of the Virginia College Building Authority issued to finance these projects may

be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue. The aggregate principal amount shall not exceed \$170,700,000 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, in accordance with § 2.2-2263, Code of Virginia."

Explanation:

(This amendment clarifies that bond appropriation may be transferred between and among the listed capital project pools.)

Item C-74 #1s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 231, line 16, strike "Not set out." and insert:
Amendment drawn to Chapter 1289
Page 650, strike Item C-74 and insert:

A.1. Pursuant to projects authorized and funded in paragraphs B and E.1 of Item C-39.40 of Chapter 1 of the 2014 Special Session I, Virginia Acts of Assembly, the General Assembly appropriated funds to the Department of General Services (DGS) for Capitol Complex Infrastructure and Security construction projects. Project work includes improvements and safety and security enhancements to be constructed or installed within the right-of-way of North 9th Street (between the area north of where Bank Street intersects North 9th Street and south of where North 9th Street intersects East Broad Street) and within the right-of-way of East Broad Street (between the area from where the western right-of-way line of North 9th Street intersects East Broad Street to where the ~~western~~ eastern right-of-way line of Governor Street intersects East Broad Street), which rights-of-way are owned by the City of Richmond (City), and more specifically as determined by the DGS project team and in collaboration with the City with respect to such rights-of-way. Accordingly, the City and DGS shall enter into a deed of easement or other proper instruments, in such form approved by the Offices of the City Attorney and of the Commonwealth Office of the Attorney General, whereby the City, without charge to the Commonwealth, shall grant to DGS, as agent of the Commonwealth, where mutually agreeable across, over, under and above the referenced right-of-way of North 9th Street and East Broad Street, (a) the perpetual and irrevocable right, privilege and easement to construct, install, use, operate, inspect, maintain, repair, replace, rebuild, improve, alter and remove (i) any construction or installation contracted for by DGS either as part of the referenced construction projects or at any time with respect to safety and security enhancements around the perimeter of Capitol Square deemed appropriate by DGS and (ii) all equipment, accessories,

utilities and appurtenances necessary to support such construction projects and such incorporation of safety and security enhancements, (b) the perpetual and irrevocable right, privilege and easement to inspect, maintain, repair, replace and rebuild the sidewalks and elements thereof (but not traffic control devices and signage or street lighting located thereupon) of the referenced right-of-way of North 9th Street and East Broad Street and (c) any necessary or appropriate temporary construction easements, upon terms approved by the Mayor of Richmond and the Governor (pursuant to § 2.2-1149, Code of Virginia); approval by Richmond City Council shall not be required.

2. The City, without expending City funds, shall cooperate with DGS (i) to support the referenced construction project work and incorporation of safety and security enhancements at and along North 9th Street and East Broad Street, (ii) to relocate any utilities located in the agreed upon easement area, if necessary, and (iii) to coordinate any closure or other traffic flow controls of North 9th Street and East Broad Street during the performance of the construction projects and the incorporation of any safety and security features that will enhance safety and security around the perimeter of Capitol Square. At no time shall DGS make any permanent changes to the North 9th Street or East Broad Street rights-of-way without the prior approval of the Chief Administrative Officer of the City or the City hinder or delay construction of the referenced construction projects. Notwithstanding the foregoing, DGS may commence the construction project work and safety and security enhancements within the referenced right-of-way of North 9th Street and East Broad Street prior to the execution of a deed of easement or other proper instruments, if deemed necessary by DGS to avoid delay in the implementation of the construction project work or safety and security enhancements.

B. ~~+~~ Pursuant to projects authorized and funded in paragraph E.1 of Item C-39.40 of Chapter 1 of the Acts of Assembly of 2014, operations of the Virginia General Assembly have temporarily moved and now operate from the Pocahontas Building bounded by the following streets 9th to the west, 10th to the east, Bank to the north, and Main to the south in the City of Richmond. This temporary move has resulted in the Commonwealth's legislative activities to be concentrated in an area requiring traffic and pedestrian operational safety and security enhancements. As such, and pursuant to the responsibilities of the Department of General Services (DGS) (§ 2.2-1129) and the Division of Capitol Police (DCP) (§ 30-34.2:1), Bank Street from 9th to 12th Street in the City of Richmond shall be controlled by the DGS and the DCP ~~year round while General Assembly operations are located, and conducted, in the Pocahontas Building.~~ Vehicular travel limitations and pedestrian management needs on and along Bank Street shall be determined jointly by the DGS and the DCP ~~during this time.~~ These determinations will be based on the recommendations outlined in the Bank Street Safety and Security Assessment prepared by Commonwealth Architects dated February 15, 2017 (the Assessment). Funding for materials and contract services needed to address pedestrian and vehicle management activities are available to DGS from the Chapter referenced in this item. ~~2. At no time, will DGS or DCP make permanent changes to Bank Street right-of-way (e.g. traffic control devices, security fixtures, street lighting, surface treatments) without the approval of the City of Richmond's Chief Administrative Officer. Additionally, at no time will the City prevent DGS and DCP from implementing and maintaining the recommendations outlined in~~

~~the Assessment. Bank Street operations, as described in paragraph A, will remain under the control of DGS and DCP year-round until control of Bank Street I reverts to the City of Richmond upon the General Assembly, and its operations, vacating the Pocahontas Building, and the General Assembly, with approval of the Governor, authorizing control of Bank Street back to the City of Richmond."~~

Explanation:

(This amendment modifies existing language having to do with Seat of Government security and resolves conflict between the two, in a companion amendment in Item 4-5.11.)

Item 3-1.01 #1s

Transfers

Interfund Transfers

Language

Language:

Page 234, set out item § 3-3.01, and after paragraph JJ., insert:

"KK. On or before June 30, 2021, the State Comptroller shall transfer to the general fund, the balance of the Aerospace Manufacturer Workforce Training Grant Fund estimated at \$1,203,000."

Explanation:

(This amendment transfers the balance of the Aerospace Manufacturer Workforce Training Grant Fund to the general fund. Upon enrolling, Item § 3-3.01 will be set out and enrolled appropriately.)

Item 3-1.01 #2s

Transfers

Interfund Transfers

Language

Language:

Page 233, line 2, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.

"

§ 3-1.00 TRANSFERS

§ 3-1.01 INTERFUND TRANSFERS

A.1. In order to reimburse the general fund of the state treasury for expenses herein authorized to be paid therefrom on account of the activities listed below, the State Comptroller shall transfer the sums stated below to the general fund from the nongeneral funds specified, except as noted, on January 1 of each year of the current biennium. Transfers from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of the quarter. The payment for the fourth quarter of each fiscal year shall be made in the month of June.

	FY 2021	FY 2022
1. Alcoholic Beverage Control Enterprise Fund (§ 4.1-116, Code of Virginia)		
a) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from Alcoholic Beverage Control gross profits)	\$65,375,769	\$65,375,769
b) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from gross wine liter tax collections as specified in § 4.1-234, Code of Virginia)	\$9,141,363	\$9,141,363
2. Forest Products Tax Fund (§ 58.1-1609, Code of Virginia)		
	\$23,613	\$23,613
For collection by Department of Taxation		
3. Peanut Fund (§3.2-1906, Code of Virginia)		
	\$2,419	\$2,419
4. For collection by Department of Taxation		

a) Aircraft Sales & Use Tax (§ 58.1-1509, Code of Virginia)	\$39,169	\$39,169
b) Soft Drink Excise Tax	\$1,596	\$1,596
c) Virginia Litter Tax	\$9,472	\$9,472
5. Proceeds of the Tax on Motor Vehicle Fuels		
For inspection of gasoline, diesel fuel and motor oils	\$97,586	\$97,586
6. Virginia Retirement System (Trust and Agency)		
For postage by the Department of the Treasury	\$34,500	\$34,500
7. Alcoholic Beverage Control Authority (Enterprise)		
For services by the:		
a) Auditor of Public Accounts	\$75,521	\$75,521
b) Department of Accounts	\$64,607	\$64,607
c) Department of the Treasury	\$47,628	\$47,628
TOTAL	\$74,913,243	\$74,913,243

2.a. Transfers of net profits from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of each quarter. The transfer of fourth quarter profits shall be estimated and made in the month of June. In the event actual net profits are less than the estimate transferred in June, the difference shall be deducted from the net profits of the next quarter and the resulting sum transferred to the general fund. Distributions to localities shall be made within fifty (50) days of the close of each quarter. Net profits are estimated at ~~\$125,100,000~~ *\$128,400,000* the first year and ~~\$128,700,000~~ *\$132,100,000* the second year.

b. Notwithstanding the provisions of § 4.1-116 B, Code of Virginia, the Alcoholic Beverage Control Authority shall properly record the depreciation of all depreciable assets, including approved projects, property, plant and equipment. The State Comptroller shall be notified of the amount of depreciation costs recorded by the Alcoholic Beverage Control Authority. However, such depreciation costs shall not be the basis for reducing the quarterly transfers

needed to meet the estimated profits contained in this act.

B.1. If any transfer to the general fund required by any subsections of §§ 3-1.01 through 3-6.04 is subsequently determined to be in violation of any federal statute or regulation, or Virginia constitutional requirement, the State Comptroller is hereby directed to reverse such transfer and to return such funds to the affected nongeneral fund account.

2. There is hereby appropriated from the applicable funds such amounts as are required to be refunded to the federal government for mutually agreeable resolution of internal service fund over-recoveries as identified by the U. S. Department of Health and Human Services' review of the annual Statewide Indirect Cost Allocation Plans.

C. In order to fund such projects for improvement of the Chesapeake Bay and its tributaries as provided in § 58.1-2289 D, Code of Virginia, there is hereby transferred to the general fund of the state treasury the amounts listed below. From these amounts \$2,583,531 the first year and \$2,583,531 the second year shall be deposited to the Virginia Water Quality Improvement Fund pursuant to § 10.1-2128.1, Code of Virginia, and designated for deposit to the reserve fund, for ongoing improvements of the Chesapeake Bay and its tributaries. The Department of Motor Vehicles shall be responsible for effecting the provisions of this paragraph. The amounts listed below shall be transferred on June 30 of each fiscal year.

154	Department of Motor Vehicles	\$10,000,000	\$10,000,000
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D. The provisions of Chapter 6 of Title 58.1, Code of Virginia notwithstanding, the State Comptroller shall transfer to the general fund from the special fund titled "Collections of Local Sales Taxes" a proportionate share of the costs attributable to increased local sales and use tax compliance efforts, the Property Tax Unit, and State Land Evaluation Advisory Committee (SLEAC) services by the Department of Taxation estimated at \$6,202,002 the first year and \$6,202,002 the second year.

E. The State Comptroller shall transfer to the general fund from the Transportation Trust Fund a proportionate share of the costs attributable to increased sales and use tax compliance efforts and revenue forecasting for the Transportation Trust Fund by the Department of Taxation estimated at \$2,993,308 the first year and \$2,993,308 the second year.

F.1. On or before June 30 of each year, the State Comptroller shall transfer \$12,287,244 the first year and \$12,287,244 the second year to the general fund the following amounts from the agencies and fund sources listed below, for expenses incurred by central service agencies:

Agency Name	Fund Group	FY 2021	FY 2022
Administration of Health Insurance (149)	0500	\$618,420	\$618,420
Department of Forestry (411)	0200	\$5,303	\$5,303
Department of Forestry (411)	0900	\$312	\$312
Department of Professional and Occupational Regulations (222)	0200	\$5,023	\$5,023
Tobacco Region Revitalization Commission (851)	0900	\$19,411	\$19,411
Southwest Virginia Higher Education Center (948)	0200	\$9,535	\$9,535

The Science Museum of Virginia (146)	0200	\$25,000	\$25,000
Virginia Museum of Fine Arts (238)	0200	\$20,764	\$20,764
Virginia Museum of Fine Arts (238)	0500	\$14,344	\$14,344
Virginia Museum of Natural History (942)	0200	\$1,176	\$1,176
Board of Accountancy (226)	0900	\$13,366	\$13,366
Department for Aging and Rehabilitative Services (262)	0200	\$41,215	\$41,215
Department for the Deaf and Hard of Hearing (751)	0200	\$4,533	\$4,533
Department of Behavioral Health and Developmental Services (720)	0200	\$61,085	\$61,085
Department of Health (601)	0900	\$123,687	\$123,687
Virginia Foundation for Healthy Youth (852)	0900	\$16,548	\$16,548

State Corporation Commission (171)	0900	\$9,058	\$9,058
Virginia College Savings Plan (174)	0500	\$351,045	\$351,045
Board of Bar Examiners (233)	0200	\$1,324	\$1,324
Supreme Court (111)	0900	\$370,537	\$370,537
Department of Conservation and Recreation (199)	0200	\$111,878	\$111,878
Department of Conservation and Recreation (199)	0900	\$37,175	\$37,175
Department of Game and Inland Fisheries (403)	0900	\$130,208	\$130,208
Marine Resources Commission (402)	0900	\$2,525	\$2,525
Department of Criminal Justice Services (140)	0200	\$56,351	\$56,351
Department of Criminal Justice Services (140)	0900	\$1,153	\$1,153
Department of Fire Programs (960)	0200	\$106,205	\$106,205

Division of Community Corrections (767)	0900	\$17,156	\$17,156
Department of Aviation (841)	0400	\$79,561	\$79,561
Department of Motor Vehicles (154)	0400	\$3,878,102	\$3,878,102
Department of Rail and Public Transportation (505)	0400	\$740,647	\$740,647
Department of Transportation (501)	0400	\$5,128,092	\$5,128,092
Motor Vehicle Dealer Board (506)	0200	\$16,447	\$16,447
Virginia Port Authority (407)	0200	\$172,599	\$172,599
Virginia Port Authority (407)	0400	\$86,102	\$86,102
Department of Military Affairs (123)	0900	\$11,357	\$11,357
		\$12,287,244	\$12,287,244

2. Following the transfers authorized in paragraph F.1. of this section in the each year, the State Comptroller shall transfer \$2,787,795 each year back to the Department of Motor Vehicles to replace the anticipated loss of driving privilege reinstatement fee revenue.

G.1. The State Comptroller shall transfer to the Lottery Proceeds Fund established pursuant to § 58.1-4022.1, Code of Virginia, an amount estimated at \$657,959,397 the first year and \$666,104,670 the second year, from the Virginia Lottery Fund. The transfer each year shall be made in two parts: (1) on or before January 1 of each year, the State Comptroller shall transfer the balance of the Virginia Lottery Fund for the first five months of the fiscal year and (2) thereafter, the transfer will be made on a monthly basis, or until the amount estimated at \$616,156,022 the first year and \$622,317,582 the second year has been transferred to the Lottery Proceeds Fund. Prior to June 20 of each year, the Virginia Lottery Executive Director shall estimate the amount of profits in the Virginia Lottery Fund for the month of June and shall notify the State Comptroller so that the estimated profits can be transferred to the Lottery Proceeds Fund prior to June 22.

2. No later than 10 days after receipt of the annual audit report required by § 58.1-4022.1, Code of Virginia, the State Comptroller shall transfer to the Lottery Proceeds Fund the remaining audited balances of the Virginia Lottery Fund for the prior fiscal year. If such annual audit discloses that the actual revenue is less than the estimate on which the June transfer was based, the State Comptroller shall adjust the next monthly transfer from the Virginia Lottery Fund to account for the difference between the actual revenue and the estimate transferred to the Lottery Proceeds Fund. The State Comptroller shall take all actions necessary to effect the transfers required by this paragraph, notwithstanding the provisions of § 58.1-4022, Code of Virginia. In preparing the Comprehensive Annual Financial Report, the State Comptroller shall report the Lottery Proceeds Fund as specified in § 58.1-4022.1, Code of Virginia.

H.1. The State Treasurer is authorized to charge up to 20 basis points for each nongeneral fund account which he manages and which receives investment income. The assessed fees, which are estimated to generate \$3,000,000 the first year and \$3,000,000 the second year, will be based on a sliding fee structure as determined by the State Treasurer. The amounts shall be paid into the general fund of the state treasury.

2.a. The State Treasurer is authorized to charge institutions of higher education participating in the pooled bond program of the Virginia College Building Authority an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected from the

public institutions of higher education, which are estimated to generate \$100,000 the first year and \$100,000 the second year, shall be paid into the general fund of the state treasury.

3. The State Treasurer is authorized to charge agencies, institutions and all other entities that utilize alternative financing structures and require Treasury Board approval, including capital lease arrangements, up to 10 basis points of the amount financed in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected shall be paid into the general fund of the state treasury.

4. The State Treasurer is authorized to charge projects financed under Article X, Section 9(c) of the Constitution of Virginia, an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected are estimated to generate \$50,000 the first year and \$50,000 the second year, and shall be paid into the general fund of the state treasury.

I. The State Comptroller shall transfer to the general fund of the state treasury 50 percent of the annual reimbursement received from the Manville Property Damage Settlement Trust for the cost of asbestos abatement at state-owned facilities. The balance of the reimbursement shall be transferred to the state agencies that incurred the expense of the asbestos abatement.

J. The State Comptroller shall transfer to the general fund from the Revenue Stabilization Fund in the state treasury any amounts in excess of the limitation specified in § 2.2-1829, Code of Virginia.

K.1. Not later than 30 days after the close of each quarter during the biennium, the State Comptroller shall transfer, notwithstanding the allotment specified in § 58.1-1410, Code of Virginia, funds collected pursuant to § 58.1-1402, Code of Virginia, from the general fund to the Game Protection Fund. This transfer shall not exceed \$5,500,000 the first year and \$5,500,000 the second year.

2. Notwithstanding the provisions of subparagraph K.1. above, the Governor may, at his

discretion, direct the State Comptroller to transfer to the Game Protection Fund, any funds collected pursuant to § 58.1-1402, Code of Virginia, that are in excess of the official revenue forecast for such collections.

L.1. On or before June 30 each year, the State Comptroller shall transfer from the general fund to the Family Access to Medical Insurance Security Plan Trust Fund the amount required by § 32.1-352, Code of Virginia. This transfer shall not exceed \$14,065,627 the first year and \$14,065,627 the second year. The State Comptroller shall transfer 90 percent of the yearly estimated amounts to the Trust Fund on July 15 of each year.

2. Notwithstanding any other provision of law, interest earnings shall not be allocated to the Family Access to Medical Insurance Security Plan Trust Fund (agency code 602, fund detail 0903) in either the first year or the second year of the biennium.

M. Not later than thirty days after the close of each quarter during the biennium, the State Comptroller shall transfer to the Game Protection Fund the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia. Notwithstanding § 58.1-638 E, this transfer shall not exceed \$11,000,000 the first year and \$11,000,000 the second year. Notwithstanding § 58.1-638 E, on or before June 30 of the first year and June 30 of the second year, the State Comptroller shall transfer to the Virginia Port Authority \$1,500,000 of the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia, to enhance and improve recreation opportunities for boaters, including but not limited to land acquisition, capital projects, maintenance, and facilities for boating access to the waters of the Commonwealth pursuant to the provisions of Senate Bill 693, 2018 Session of the General Assembly.

N.1. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Indemnification and Community Revitalization Fund to the general fund an amount estimated at \$244,268 the first year and \$244,268 the second year. This amount represents the Tobacco Indemnification and Community Revitalization Commission's 50 percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.

2. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco

Settlement Fund to the general fund an amount estimated at \$48,854 the first year and \$48,854 the second year. This amount represents the Tobacco Settlement Foundation's ten percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.

O. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$2,400,000 the first year and \$2,400,000 the second year from the Court Debt Collection Program Fund at the Department of Taxation.

P. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$7,400,000 the first year and \$7,400,000 the second year from the Department of Motor Vehicles' Uninsured Motorists Fund. These amounts shall be from the share that would otherwise have been transferred to the State Corporation Commission.

Q. On or before June 30 each year, the State Comptroller shall transfer an amount estimated at \$5,000,000 the first year and an amount estimated at \$5,000,000 the second year to the general fund from the Intensified Drug Enforcement Jurisdictions Fund at the Department of Criminal Justice Services.

R. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$3,864,585 the first year and \$3,864,585 the second year from operating efficiencies to be implemented by the Alcoholic Beverage Control Authority.

S. On or before June 30 each year, the State Comptroller shall transfer \$466,600 the first year and \$466,600 the second year to the general fund from the Land Preservation Fund (Fund 0216) at the Department of Taxation.

T. Unless prohibited by federal law or regulation or by the Constitution of Virginia and notwithstanding any contrary provision of state law, on June 30 of each fiscal year, the State Comptroller shall transfer to the general fund of the state treasury the cash balance from any nongeneral fund account that has a cash balance of less than \$100. This provision shall not

apply to institutions of higher education, bond proceeds, or trust accounts. The State Comptroller shall consult with the Director of the Department of Planning and Budget in implementing this provision and, for just cause, shall have discretion to exclude certain balances from this transfer or to restore certain balances that have been transferred.

U.1. The Brunswick Correctional Center operated by the Department of Corrections shall be sold. The Commonwealth may enter into negotiations with (1) the Virginia Tobacco Indemnification and Community Revitalization Commission, (2) regional local governments, and (3) regional industrial development authorities for the purchase of this property as an economic development site.

2. Notwithstanding the provisions of § 2.2-1156, Code of Virginia or any other provisions of law, the proceeds of the sale of the Brunswick Correctional Center shall be paid into the general fund.

V. On a monthly basis, in the month subsequent to collection, the State Comptroller shall transfer all amounts collected for the fund created pursuant to § 17.1-275.12 of the Code of Virginia, to Items 354, 406, and 426 of this act, for the purposes enumerated in Section 17.1-275.12.

W. On or before June 30 each year, the State Comptroller shall transfer \$12,518,587 the first year and \$12,518,587 the second year to the general fund from the \$2.00 increase in the annual vehicle registration fee from the special emergency medical services fund contained in the Department of Health's Emergency Medical Services Program (40200).

X. The provisions of Chapter 6.2, Title 58.1, Code of Virginia, notwithstanding, on or before June 30 each year the State Comptroller shall transfer to the general fund from the proceeds of the Virginia Communications Sales and Use Tax (fund 0926), the Department of Taxation's indirect costs of administering this tax estimated at \$106,451 the first year and \$106,451 the second year.

Y. Any amount designated by the State Comptroller from the June 30, 2020, or June 30, 2021, general fund balance for transportation pursuant to § 2.2-1514B., Code of Virginia, is hereby

appropriated.

Z. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the State Health Insurance Fund (Fund 06200) the balance from the Administration of Health Benefits Services Fund (Fund 06220) at the Department of Human Resource Management.

AA. The Department of General Services is authorized to dispose of the following property currently owned by the Department of Corrections in the manner it deems to be in the best interests of the Commonwealth: Pulaski Correctional Center and White Post Detention and Diversion Center. Such disposal may include sale or transfer to other agencies or to local government entities. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale of all or any part of the properties shall be deposited into the general fund.

BB. The State Comptroller shall transfer all revenues collected each year to the general fund from the Firearms Transaction, Concealed Weapons Permit, and Conservator of the Peace Programs at the Department of State Police.

CC. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the Health Insurance Fund - Local (Fund 05200) at the Administration of Health Insurance the balance from the Administration of Local Benefits Services Fund (Fund 05220) at the Department of Human Resource Management.

DD. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the Line of Duty Death and Health Benefits Trust Fund (Fund 07420) at the Administration of Health Insurance the balance from the Administration of Health Benefits Payment - LODA Fund (Fund 07422) at the Department of Human Resource Management.

EE. On or before June 30, of each fiscal year, the State Comptroller shall transfer \$154,743 from Special Funds of the Department of Behavioral Health and Developmental Services (720) to Special Funds at the Office of the State Inspector General (147).

FF. The Department of General Services, with the cooperation and support of the Department of Agriculture and Consumer Services, is authorized to sell, for such consideration and the Governor may approve, a portion of the Eastern Shore Farmers Market, including the Market Office Building at 18491 Garey Road and the Produce Warehouse at 18513 Garey Road, Melfa, Virginia 23410. The Department of Agriculture and Consumer Services, with the recommendation of the Department of General Services, is authorized to grant any easement necessary to facilitate the sale of this portion of the Eastern Shore Farmer's Market. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale shall first be applied toward remediation options under federal tax law of any outstanding tax-exempt bonds on the property. After deduction of the expenses incurred by the Department of Agriculture and Consumer Services, any proceeds that remain shall be deposited to the general fund. Any conveyance shall be approved by the Governor in a manner set forth in § 2.2-1150, Code of Virginia.

GG. On or before June 30 of each fiscal year, the State Comptroller shall transfer to the general fund the portion of the balances of the Disaster Recovery Fund (Fund 02460) and Covid-19 Addtl State Funding (Fund 02019) at the Virginia Department of Emergency Management that was received as a federal cost recovery. The amounts transferred represent repayment of the sum sufficient fund originally appropriated for federally-declared emergencies. The Department of Emergency Management shall report to the State Comptroller the amount of the balance to be transferred by June 1 of each year.

HH. Notwithstanding the provisions of subsection A of § 58.1-662, Code of Virginia, and in addition to clause (i) and (ii) of that subsection, monies in the Communications Sales and Use Tax Trust Fund shall not be allocated to the Commonwealth's counties, cities, and towns until after an amount equal to \$2,000,000 the first year is allocated to the general fund. The State Comptroller shall deposit to the general fund \$2,000,000 on or before June 30, the first year and an additional \$2,000,000 on or before June 30, the second year from the revenues received from the Communications Sales and Use Tax.

II. The transfer of excess amounts in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund to the general fund pursuant to Item 59 of this act is estimated at \$500,000 the first year and \$500,000 the second year.

JJ. On or before June 30, 2021, the State Comptroller shall transfer \$1,000,000 in Special Funds from the Corrections Special Reserve Fund, pursuant to § 30-19.1:4 of the Code of

Virginia, to the capital planning project authorized in Item C-66, Paragraph G of this act."

Explanation:

(This amendment increases the required net profit transfers from the Alcoholic Beverage Control Authority (ABC) Enterprise Fund to the general fund by \$3.3 million in the first year and \$3.4 million in the second year, based on above-budget alcohol sales.)

Item 3-4.01 #1s

Auxiliary Enterprises and Sponsored Programs in Institutions of Higher Education

Auxiliary Enterprise Investment Yields

Language

Language:

Page 234, line 33, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

Page 610, strike § 3-4.01 and insert:

"§ 3-4.01 AUXILIARY ENTERPRISE INVESTMENT YIELDS

A. 1. The educational and general programs in institutions of higher education shall recover the full indirect cost of auxiliary enterprise programs as certified by institutions of higher education to the Comptroller subject to annual audit by the Auditor of Public Accounts. The State Comptroller shall credit those institutions meeting the requirement with the interest earned by the investment of funds of their auxiliary enterprise programs.

2. The University of Virginia's College at Wise is authorized to suspend the transfer of the recovery of the full indirect cost of auxiliary enterprise programs to the educational and general program for the 2020-2022 biennium.

3. Institutions of higher education shall have the authority to reduce the recovery of the full indirect cost of auxiliary enterprise programs to the educational and general program for the 2020-2022 biennium as a result of the significant financial impact on auxiliary enterprise programs caused by the COVID-19 pandemic.

4. Institutions of higher education shall have the authority to use available fund balances from other fund sources, to include educational and general program reserves, to support operations, increased costs or revenue reductions, for auxiliary enterprise programs for the 2020-22 biennium. However, with the exception of transfer payments, education and general program reserves may not be used to directly support intercollegiate athletics. Prior to any

fund transfer, non-covered institutions shall notify the Secretary of Finance in writing of their intent and justification for the transfer. The Secretary of Finance has 10 business days to deny the transfer by a notifying institution.

B. No interest shall be credited for that portion of the fund's cash balance that represents any outstanding loans due from the State Treasurer. The provisions of this section shall not apply to the capital projects authorized under Items C-36.21 and C-36.40 of Chapter 924, 1997 Acts of Assembly."

Explanation:

(This amendment modifies existing language to provide temporary flexibility to institutions of higher education.)

Item 4-0.01 #1s

Operating Policies

Operating Policies

Language

Language:

Page 237, strike line 2, and insert:

"§ 4-0.01 OPERATING POLICIES

- a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.
- b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.
- c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.
- d. Public higher education institutions are not subject to the provisions of § 2.2-4800, Code of Virginia, or the provisions of the Department of Accounts' Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of outstanding accounts receivable.
- e. The provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia) shall not apply to grants made in support of the 2019 Commemoration to non-profit entities organized under § 501 (c)(3) of the Internal Revenue Code.
- f. 1. The State Council of Higher Education for Virginia shall establish a policy for granting undergraduate course credit to entering freshman students who have taken one or more

Advanced Placement, Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate examinations by August 1, 2017. The policy shall:

- a) Outline the conditions necessary for each public institution of higher education to grant course credit, including the minimum required scores on such examinations;
- b) Identify the course credit or other academic requirements of each public institution of higher education that the student satisfies by achieving the minimum required scores on such examinations; and
- c) Ensure, to the extent possible, that the grant of course credit is consistent across each public institution of higher education and each such examination.

2. The Council and each public institution of higher education shall make the policy available to the public on its website.

g. 1. Notwithstanding any other provision of law, any public body, including any state, local, regional, or regulatory body, or a governing board as defined in § 54.1-2345 of the Code of Virginia may meet by electronic communication means without a quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; (ii) the purpose of meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body or common interest community association as defined in § 54.1-2345 of the Code of Virginia and the discharge of its lawful purposes, duties, and responsibilities; (iii) a public body shall make available a recording or transcript of the meeting on its website in accordance with the timeframes established in §§ 2.2-3707 and 2.2-3707.1 of the Code of Virginia; and (iv) the governing board shall distribute minutes of a meeting held pursuant to this subdivision to common interest community association members by the same method used to provide notice of the meeting.

2. A public body or governing board convening a meeting in accordance with this subdivision shall:

- a) Give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body or governing board conducting the meeting;
- b) Make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable, videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment; and

3. Public bodies must otherwise comply with the provisions of § 2.2-3708.2 of the Code of Virginia. The nature of the emergency, the fact that the meeting was held by electronic

communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the public body or governing board.

h. Notwithstanding §2.2-1510 B., Code of Virginia, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, during a state of emergency as declared by the Governor, shall hold at least one, but up to four, public hearings, on the budget bill the Governor submits for the 2021 Regular Session and may hold such hearings through electronic means, if deemed necessary, to ensure the safety of all participants."

Explanation:

(This amendment provides flexibility for the Chairs of the House Appropriations and Senate Finance and Appropriations Committees to determine how many budget hearings will be held on the Governor's proposed budget prior to the 2021 Regular Session and if such hearings will be through electronic means. The COVID-19 pandemic may require such hearings to be held online in an electronic format for the safety of all participants involved. This amendment provides temporary flexibility to determine the safest and most appropriate way to hear public comment on the budget during the pandemic.)

Item 4-5.11 #1s

Special Conditions and Restrictions on Expenditures

Seat of Government Traffic and Pedestrian Safety

Language

Language:

Page 238, line 16, strike "Not set out." and insert:
Amendment drawn to Chapter 1289
Page 650, strike section 4-5.11 and insert:

"§ 4-5.11 SEAT OF GOVERNMENT TRAFFIC AND PEDESTRIAN SAFETY

In order to implement and maintain traffic and pedestrian operational safety and security enhancements and secure the seat of government, the Commonwealth Transportation Board shall, not later than January 1, 2020, add to the state primary highway system, pursuant to § 33.2-314, Code of Virginia, those portions of the rights-of-way located in the City of Richmond identified as Bank Street from 9th Street to 14th Street, 10th Street from Main Street to Bank Street, 12th Street from Main Street to Bank Street, and Governor Street from Main Street to Bank Street and, pursuant to the responsibilities of the Department of General Services (DGS) (§ 2.2-1129) and the Division of Capitol Police (DCP) (§ 30-34.2:1), DGS and DCP shall control those rights-of-way and pedestrian and vehicular traffic thereon. The

rights-of-way so transferred shall be in addition to the 50 miles per year authorized to be transferred under § 33.2-314(A). *The City of Richmond shall transfer fee ownership of the rights-of-way identified in this section to DGS by deed or other instrument, as determined by DGS.*"

Explanation:

(This amendment modifies existing language to address the transfer of rights-of-way having to do with Seat of Government security and resolves conflict between the two, in a companion amendment in Item C-74.)

Chief Patron:

ERRATA

Item 4-14 #1s

Effective Date

Language

Language:

Page 241, strike lines 21 through 48.

Page 242, strike lines 1 through 6, and insert:

"8. a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in §44-146.16 of the Code of Virginia, no court shall issue a writ of eviction to obtain possession of a dwelling unit, for non-payment of rent or delinquency incurred until January 31, 2021, unless such tenant refuses to apply for rental assistance through the Virginia Rent and Mortgage Relief Program. Such landlords and tenants must also comply with the following.

1. For an Owner who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, if rent is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the total amount due and owed. The written notice shall also inform the tenant that if the tenant provides to the landlord a signed statement certifying that the tenant has experienced expenses or a loss of income due to the declared state of emergency, the tenant may enter into a payment plan under which the tenant shall be required to pay the total amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement. The total amount due and owed under a payment plan shall not include any late fees, and no late fees shall be assessed during any time period in which a tenant is making timely payments under a payment plan. If the tenant fails to pay in full, enter into a written payment plan with the

landlord, or pay any installment required by the plan, the landlord may not seek a writ of eviction to obtain possession of the dwelling unit after January 31, 2021, subject to the requirements in subsection b, unless such tenant refuses to apply for rental assistance through the Virginia Rent and Mortgage Relief Program, as described in subsection 2 below. Nothing in this subsection shall preclude a tenant from availing himself of any other rights or remedies available to him under the law, nor shall the tenant's eligibility to participate or participation in any rent relief program offered by a nonprofit organization or under the provisions of any federal, state, or local law, regulation, or action prohibit the tenant from taking advantage of the provisions of this subsection.

2. If rent is unpaid when due, or if a payment under the terms of a payment plan is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the Virginia Rent and Mortgage Relief Program and information on how to reach 2-1-1 Virginia to determine any additional federal, state, and local rent relief programs. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent will apply for rental assistance with the Virginia Rent and Mortgage Relief Program on behalf of the tenant, or the landlord will cooperate with the tenant's application for rental assistance with the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, by providing required documentation for such application, including the W-9 IRS form and any supporting affidavit. If the tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance, the landlord may take action to obtain possession of a dwelling unit for non-payment of rent or delinquency incurred. If the landlord or the tenant does not receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, the landlord may not seek a writ of eviction to obtain possession of the dwelling unit after January 31, 2021, subject to the requirements in subsection b. For any subsequent application by the owner, landlord, owner's licensed agent, or the tenant to the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, the administrator of the Virginia Rent and Mortgage Relief Program or the administrator of any other federal, state, or local rent relief program shall work diligently to process such application within fourteen days of submission of such application. If the tenant does not qualify for the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, or there are no longer funds available from these sources, then the provisions of this subsection do not apply.

3. Protections herein shall be construed to provide a greater level of public health protection than provided by the Agency Order from the Centers for Disease Control and Prevention dated September 1, 2020, entitled Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19.

b. After January 31, 2021, notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in §44-146.16 of the Code of Virginia, no court shall issue a writ of eviction to obtain possession of a dwelling unit for non-payment of rent or delinquency incurred until such declared state of emergency ends except as follows:

1. For an Owner who owns four or fewer rental dwelling units in the Commonwealth, if rent is unpaid when due and the tenant fails to pay rent within fourteen days after written notice is served on him, pursuant to § 55.1-1202, notifying the tenant of his nonpayment and of the landlord's intention to obtain possession of the premises if the rent is not paid within the fourteen-day period, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that the landlord also complies with subsection 3 below.

2. For an Owner who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, if rent is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the total amount due and owed. The written notice shall also inform the tenant that if the tenant provides to the landlord a signed statement certifying that the tenant has experienced expenses or a loss of income due to the declared state of emergency, the tenant may enter into a payment plan under which the tenant shall be required to pay the total amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement. The total amount due and owed under a payment plan shall not include any late fees, and no late fees shall be assessed during any time period in which a tenant is making timely payments under a payment plan. The written notice shall also inform the tenant that if the tenant fails to either pay the total amount due and owed or enter into the payment plan offered, or an alternative payment arrangement acceptable to the landlord, within fourteen days of receiving the written notice from the landlord, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If the tenant fails to pay in full or enter into a written payment plan with the landlord within fourteen days of when the notice is served on him, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that the landlord also complies with subsection 3 below. If the tenant enters into a payment plan and, after the plan becomes effective, fails to pay any installment required by the plan within fourteen days of its due date, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that he has sent the tenant a new notice, pursuant to § 55.1-1202, advising the tenant of the landlord's intention to obtain possession of the premises unless the tenant pays the total amount due and owed as stated on the notice within fourteen days of receipt and provided that the landlord complies with subsection 3 below. The option of entering into a payment plan or alternative payment arrangement pursuant to this subdivision may only be utilized once during the time period of the rental agreement. Nothing in this subsection shall preclude a tenant from availing himself of any other rights or remedies available to him under the law, nor shall the tenant's eligibility to participate or participation in any rent relief program offered by a nonprofit organization or under the provisions of any federal, state, or local law, regulation, or action prohibit the tenant from taking advantage of the provisions of this subsection.

3. If rent is unpaid when due, or if a payment under the terms of a payment plan is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the Virginia Rent and Mortgage Relief Program and information on how to reach 2-1-1 Virginia to determine any additional federal, state, and local rent relief programs. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent will apply for rental assistance with the Virginia Rent and Mortgage Relief Program on behalf of the tenant, or the landlord will cooperate with the tenant's application for rental assistance with the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, by providing required documentation for such application, including the W-9 IRS form and any supporting affidavit. If the tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance, the landlord may take action to obtain possession of a dwelling unit for non-payment of rent or delinquency incurred. If the landlord or the tenant does not receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program within forty five days of when the notice is served on the tenant, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. For any subsequent application by the owner, landlord, owner's licensed agent, or the tenant to the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, the administrator of the Virginia Rent and Mortgage Relief Program or the administrator of any other federal, state, or local rent relief program shall work diligently to process such application within fourteen days of submission of such application. If the landlord or tenant does not receive written approval from the Virginia Rent and Mortgage Relief program or any other federal, state, or local rent relief program within fourteen days of submission of the subsequent application, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If the tenant does not qualify for the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, or there are no longer funds available from these sources, then the provisions of this subsection do not apply.

c. If a landlord reports to a consumer reporting agency or debt collector regarding a tenant who is participating in the repayment plan or receiving assistance from a federal, state, or local rent relief program, the landlord shall report the account as "current" in accordance with the Public Law 116-36: Corona Virus Aid, Relief, and Economic Security Act.

d. If a tenant is complying with a written payment plan with the landlord or has resolved any non-payment of rent or delinquency incurred, the landlord cannot take any action to obtain possession of a dwelling unit for non-payment of rent or delinquency incurred.

e. Nothing in this Section relieves either the landlord or the tenant from their obligations to maintain the dwelling as those obligations are set forth in Article 2 and Article 3 of Chapter 12 of Title 55.1.

f. Nothing in this section shall void any judgment for possession validly obtained by a landlord prior to the effective date of this Section; however, the court shall not issue a writ of execution thereunder, following the effective date, unless it complies with the provisions of this Section."

Explanation:

(This amendment replaces the eviction moratorium language included in the Governor's proposed budget, and establishes the terms by which a landlord may evict a tenant for nonpayment. For owners with more than 4 dwelling units, requires that the landlord provide written notice informing the tenant of the total amount due and owed; and inform the tenant that if the tenant provides a signed statement certifying that the tenant has experienced expenses or a loss of income due to the declared state of emergency, the tenant may enter into a payment plan and amortize the amount owed over the lesser of 6 months or the remainder of lease term. If the tenant fails to pay in full, enter into a payment plan, or pay any installment required by the plan, the landlord may proceed to obtain possession of the premises after January 31, 2021, provided certain other conditions are met, including notifying the tenant of the availability of rental assistance. For owners with 4 or fewer dwelling units, if rent is unpaid when due and the tenant fails to pay rent within fourteen days after written notice is served on him, the landlord may proceed to obtain possession of the premises after January 31, 2021, as long as the landlord meets certain other conditions, including notifying the tenant of the availability of rental assistance. The amendment also provides that if a tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance, the landlord can take action before January 31, 2021, to obtain possession of a dwelling unit for non-payment of rent or delinquency incurred.)

Item 4-14 #2s

Effective Date

Language

Language:

Page 241, strike lines 1 through 20 and insert:

"7. a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in §44-146.16 of the Code of Virginia, electric companies subject to regulation of the State Corporation Commission ("Commission"), natural gas suppliers subject to the regulation of the Commission, electric and gas municipal utilities, and water suppliers and wastewater service providers ("utilities") are prohibited from disconnecting service ("moratorium" or "prohibition") to residential customers for non-payment of bills or fees until the Governor determines that the economic and public health conditions have improved such that the prohibition does not need to be in place, or until at least 60 days after such declared state of emergency ends, whichever is sooner. The utilities shall notify all customers who are at least 30 days in arrears of this utility disconnection moratorium and the COVID Relief Repayment Plan ("Repayment Plan") within 60 days after the enactment of this Act, which may be by bill insert or bill notice, with information detailing its Repayment Plan, including eligibility and billing information; and

b. No more than 60 days after the enactment of this Act, the utilities must offer customers a Repayment Plan for past due accounts while such prohibition is in effect that includes, at minimum, the following provisions:

1. The Repayment Plan shall not require any new deposits, down payments, fees, late fees, interest charges, or penalties, nor shall such plan accrue any fees, interest, or penalties, including prepayment penalties;

2. The Repayment Plan shall amortize the repayment of a customer's utility debt over a minimum period of 6 months and up to 24 months for each utility. However, a customer may satisfy the Repayment Plan in part or in full at any time; and

3. The utilities shall not apply eligibility criteria, such as installment plan history, while on the Repayment Plan. However, the utilities may require the customer to attest to the utility or to a third party chosen by the utility that the customer has experienced a financial hardship resulting directly or indirectly from the public health emergency or that they have experienced a hardship to pay during the public health emergency.

4. During the disconnection moratorium, if a utility reports to a consumer reporting agency or debt collector regarding a consumer who is on a Repayment Plan the utility shall report the account as "current" in accordance with the Public Law 116-36: Coronavirus Aid, Relief, and

Economic Security Act. Once the disconnection moratorium ends, the utility may resume reporting any default on the Repayment Plan.

c. Nothing herein shall limit or prevent the utilities or the residential customers from applying or seeking debt relief or mitigation from any available resource, from entering into another payment plan offered by the utility, or from renegotiating the terms of the Repayment Plan. If a utility has established a Repayment Plan program that provides financial assistance to utility customers with funding provided through the CARES Act, or directs customers where to access financial assistance with funding provided through the CARES Act, such utility's customers who are at least 30 days in arrears must seek assistance from these programs in order to reduce the customer's arrearage.

d. Notwithstanding anything to the contrary in this clause 7 or any other provision of law, if a utility subject to regulation of the Commission has accounts receivable--- arrearages that exceed 1% of the utility's annual operating revenues, then the utility may obtain relief from this moratorium by filing an informational letter notice with the clerk of the Commission, stating such facts to demonstrate the exceedance and contemporaneously tendering associated workpapers to the staff of the Commission. The Commission staff shall verify the information as filed by the utility and shall file a verification letter with the Clerk of the Commission. The Commission, upon receipt of a favorable verification letter, shall issue a final order within five days. Upon issuance of an order, a utility shall thereafter be exempt from the moratorium provisions of this clause 7.

e. Notwithstanding anything to the contrary in this clause 7 or any other provision of law, if a utility subject to this clause 7 but not subject to regulation of the Commission has accounts receivable---le arrearages that exceed 1% of the utility's annual operating revenues, then the utility may obtain relief from this moratorium if (i) the utility provides a written analysis stating such facts to demonstrate the exceedance, (ii) the utility contemporaneously makes available for public inspection associated workpapers verifying such facts, and (iii) the governing body verifies the exceedance, provides public notice, takes public comment on, and votes to approve that the exceedance is accurate in an open public meeting. In the event of an affirmative vote of the utility's governing body, the utility shall thereafter be exempt from the moratorium provisions of this clause 7.

f. The Commission shall allow for the timely recovery of bad debt obligations, reasonable late payment fees suspended, and prudently incurred implementation costs resulting from a Repayment Plan for electric, gas, water, or wastewater utilities, excluding Phase II utilities, including through a rate adjustment clause or through base rates. The Commission may apply any applicable earnings test in the Commission rules governing utility rate applications and

annual informational filings when assessing the recovery of such costs. The Commission shall also require the utilities subject to regulation by the Commission to submit an annual report on the status of the moratorium and the Repayment Plan, including (a) the number of accounts that are at least 30 days in arrears; (b) the number of accounts that are participating in the Repayment Plan, or another repayment plan as set forth by the utility, and (c) the cumulative level of customer arrearages by locality. The Commission shall provide the chairs of the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade an aggregated anonymized report by utility containing such compiled information within three months of the expiration of the prohibition and annually thereafter for the following two years.

g. Utilities not subject to regulation by the Commission shall submit an annual report on the status of the moratorium and the Repayment Plan to the Commission on Local Government, including (a) the number of accounts that are at least 30 days in arrears; (b) the number of accounts that are participating in the Repayment Plan, or another repayment plan as set forth by the utility, and (c) the cumulative level of customer arrearages by locality. The Commission on Local Government shall provide the chairs of the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade an aggregated anonymized report by utility containing such compiled information within three months of the expiration of the prohibition and annually thereafter for the following two years.

h. Within 60 days after the enactment of this act, a Phase II Utility shall forgive all such utility's jurisdictional customer balances more than 30 days in arrears as of September 30, 2020.

1. In the utility's 2021 triennial review, any forgiven amounts shall be excluded from the utility's cost of service for purposes of determining any test period earnings and determining any future rates of the utility. In determining any customer bill credits, in the utility's 2021 triennial review, the Commission shall first offset any forgiven amounts against the total earnings for the 2017 through 2020 test periods that are determined to be above the utility's authorized earnings band. Such offset shall be made prior to any offset to customer bill credits by customer credit reinvestment offsets.

2. Each Phase II Utility shall, no later than December 31, 2020, submit a report to the Governor, the Chairs of the House Committee on Labor and Commerce and the Senate Committee on Commerce and Labor, the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee, and the Chair of the Commission on Electric Utility Regulation, detailing all actions by it pursuant to this act to forgive customer balances."

Explanation:

(This amendment replaces language in the Governor's introduced budget and provides for a moratorium on utility disconnections for non-payment of bills or fees during a declared state of emergency of a communicable disease of public health threat, to include electric companies and natural gas suppliers subject to regulation of the State Corporation Commission (SCC), electric and gas municipal utilities, and water suppliers and wastewater service providers. It also requires utilities to offer customers a COVID Relief Repayment Plan to pay past-due amounts, provides for an exemption from the moratorium for utilities under certain conditions, directs the SCC to allow for the timely recovery of bad debt obligations for utilities, excluding Phase II utilities, directs Phase II utilities to forgive jurisdictional customer debt for those 30 days in arrears as of September 30, 2020, and requires reporting by regulated and non-regulated utilities on the status of the moratorium and the Repayment Plan to the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade.)

Item 4-14 #3s

Effective Date

Language

Language:

Page 242, after line 6, insert:

"9. The following provisions of law shall become effective on November 15, 2020, contingent upon the passage of an amendment to the Constitution of Virginia on the Tuesday after the first Monday in November 2020, establishing the Virginia Redistricting Commission by amending Section 6 of Article II and adding in Article II a new section numbered 6-A. If such amendment is not approved by the voters, these provisions of law shall not become effective.

§ 30-391 – Virginia Redistricting Commission

A. The Virginia Redistricting Commission is established in the legislative branch of state government. It shall be convened in the year 2020 and every 10 years thereafter for the purpose of establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly.

B. As used in this chapter:

"Census data" means the population data received from the United States Bureau of the Census pursuant to P.L. 94-171.

"Commission" means the Virginia Redistricting Commission established pursuant to this

chapter.

"Committee" means the Redistricting Commission Selection Committee established pursuant to §30-393.

"Partisan public office" means (i) an elective or appointive office in the executive or legislative branch or in an independent establishment of the federal government; (ii) an elective office in the executive or legislative branch of the government of the Commonwealth, or an office that is filled by appointment and is exempt from the Virginia Personnel Act (§ 2.2-2900 et seq.); or (iii) an office of a county, city, or other political subdivision of the Commonwealth that is filled by an election process involving nomination and election of candidates on a partisan basis.

"Political party office" means an elective office in the national or state organization of a political party, as defined in § 24.2-101.

§ 30-392. Membership; terms; vacancies; chairman; quorum; compensation and expenses.

A. The Virginia Redistricting Commission shall consist of 16 commissioners that include eight legislative commissioners and eight citizen commissioners as follows: two commissioners shall be members of the Senate of Virginia, representing the political party having the highest number of members in the Senate and appointed by the President pro tempore of the Senate; two commissioners shall be members of the Senate, representing the political party having the next highest number of members in the Senate and appointed by the leader of that political party; two commissioners shall be members of the House of Delegates, representing the political party having the highest number of members in the House of Delegates and appointed by the Speaker of the House of Delegates; two commissioners shall be members of the House of Delegates, representing the political party having the next highest number of members in the House of Delegates and appointed by the leader of that political party; and eight citizen commissioners who shall be selected by the Redistricting Commission Selection Committee pursuant to § 30-394.

B. Legislative commissioners selected to serve as commissioners of the Commission shall be appointed by the respective authorities no later than December 1 of the year ending in zero and shall continue to serve until their successors are appointed. In making its appointments, the appointing authorities shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointment, such that the proper partisan balance of the Commission is maintained.

C. Citizen commissioners selected to serve as commissioners of the Virginia Redistricting Commission shall be selected by the Redistricting Commission Selection Committee as provided in § 30-394. In making its selections, the Committee shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. Citizen commissioners shall be appointed no later than January 15 of the year ending in one and shall continue to serve until their successors are appointed. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled by the Commission selecting a replacement from the list submitted pursuant to subsection E of § 30-394 from which the commissioner being replaced was selected and shall require an affirmative vote of a majority of the commissioners, including at least one commissioner representing or affiliated with each

political party.

D. Legislative commissioners shall receive such compensation as provided in § 30-19.12, and citizen commissioners shall receive such compensation as provided in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. All such compensation and expense payments shall come from existing appropriations to the Commission.

E. By February 1 of the year ending in one, the Commission shall hold a public meeting at which it shall select a chairman from its membership. The chairman shall be a citizen commissioner and shall be responsible for coordinating the work of the Commission. A majority of the commissioners appointed, which majority shall include a majority of the legislative commissioners and a majority of the citizen commissioners, shall constitute a quorum.

F. All meetings and records of the Commission shall be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except as provided in subsection E of § 30-394. All records and documents of the Commission, or any individual or group performing delegated functions of or advising the Commission, related to the Commission's work, including internal communications and communications from outside parties, shall be considered public information.

G. Commissioners, staff of the Commission, and any other advisor or consultant to the Commission shall not communicate with any person outside the Commission about matters related to reapportionment or redistricting outside of a public meeting or hearing. Written public comments submitted to the Commission, staff of the Commission, or any other advisor or consultant to the Commission shall not be a violation of this subsection.

H. In the event the Commission hires a lawyer or law firm, the Commission as an entity shall be considered the client of the lawyer or the law firm. No individual commissioner or group of commissioners shall be considered to be the client of the lawyer or the law firm.

§ 30-393. Redistricting Commission Selection Committee; chairman; quorum; compensation and expenses.

A. There shall be a Redistricting Commission Selection Committee established for the purpose of selecting the citizen commissioners of the Virginia Redistricting Commission. This committee shall consist of five retired judges of the circuit courts of Virginia.

B. By November 15 of the year ending in zero, the Chief Justice of the Supreme Court of Virginia shall certify to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest number of members in the Senate of Virginia a list of at least 10 retired judges of the circuit courts of Virginia who are willing to serve on the Committee, and no retired judge who is a parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law of, or a cohabitating member of a household with, a member of the Congress of the United States or of the General Assembly shall be included in such list. In compiling this list, the Chief Justice shall give consideration to the racial, ethnic, geographic,

and gender diversity of the Commonwealth. These members shall each select a judge from the list and shall promptly, but not later than November 20, communicate their selection to the Chief Justice, who shall immediately notify the four judges selected. In making their selections, the members shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. Within three days of being notified of their selection, the four judges shall select, by a majority vote, a judge from the list prescribed herein to serve as the fifth member of the Committee, who shall serve as the chairman of the Committee.

A majority of the Committee members, which majority shall include the chairman, shall constitute a quorum. The judges of the Committee shall serve until their successors are appointed. If a judge cannot, for any reason, complete his term, the remaining judges shall select a replacement from the list prescribed herein.

C. Members of the Committee shall receive compensation for their services and shall be allowed all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2- 2813 and 2.2-2825. The compensation and expenses of members and all other necessary expenses of the Committee shall be provided from existing appropriations to the Commission.

D. All meetings and records of the Committee shall be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except as provided in subsection E of § 30-394.

E. Notwithstanding the provisions of § 1-210 regarding the computation of time, if an act required by this section is to be performed on a Saturday, Sunday, or legal holiday, or any day or part of a day on which the government office where the act to be performed is closed, the act required shall be performed on the first business day immediately preceding the Saturday, Sunday, or legal holiday, or day on which the government office is closed.

§ 30-394. Citizen commissioners; application process; qualifications; selection.

A. Within three days following the selection of the fifth member of the Committee, the Committee shall adopt an application and process by which residents of the Commonwealth may apply to serve on the Commission as citizen commissioners. The Division of Legislative Services shall assist the Committee in the development of the application and process.

The application for service on the Commission shall require applicants to provide personal contact information and information regarding the applicant's race, ethnicity, gender, age, date of birth, education, and household income. The application shall require an applicant to disclose, for the period of three years immediately preceding the application period, the applicant's (i) voter registration status; (ii) preferred political party affiliation, if any, and any political party primary elections in which he has voted; (iii) history of any partisan public offices or political party offices held or sought; (iv) employment history, including any current or prior employment with the Congress of the United States or one of its members, the General Assembly or one of its members, any political party, or any campaign for a partisan public office, including a volunteer position; and (v) relevant leadership experience or involvements with professional, social, political, volunteer, and community organizations and causes.

The application shall require an applicant to disclose information regarding the partisan activities and employment history of the applicant's parent, spouse, child, sibling, parent-in-law,

child-in-law, or sibling-in-law, or any person with whom the applicant is a cohabitating member of a household, for the period of three years immediately preceding the application period.

The Committee may require applicants to submit three letters of recommendation from individuals or organizations.

The application process shall provide for both paper and electronic or online applications. The Committee shall cause to be advertised throughout the Commonwealth information about the Commission and how interested persons may apply.

B. To be eligible for service on the Commission, a person shall have been a resident of the Commonwealth and a registered voter in the Commonwealth for three years immediately preceding the application period. He shall have voted in at least two of the previous three general elections. No person shall be eligible for service on the Commission who:

1. Holds, has held, or has sought partisan public office or political party office;
2. Is employed by or has been employed by a member of the Congress of the United States or of the General Assembly or is employed directly by or has been employed directly by the United States Congress or by the General Assembly;
3. Is employed by or has been employed by any federal, state, or local campaign;
4. Is employed by or has been employed by any political party or is a member of a political party central committee;
5. Is a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 or a lobbyist's principal as defined in § 2.2-419 or has been such a lobbyist or lobbyist's principal in the previous five years; or
6. Is a parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law of a person described in subdivisions 1 through 5, or is a cohabitating member of a household with such a person.

C. The application period shall begin no later than December 1 of the year ending in zero and shall end four weeks after the beginning date. During this period, interested persons shall submit a completed application and any required documentation to the Division of Legislative Services. All applications shall be reviewed by the Division of Legislative Services to ensure an applicant's eligibility for service pursuant to subsection B, and any applicant who is ineligible for service shall be removed from the applicant pool.

The Division of Legislative Services shall make available the application for persons to use when submitting a paper application and shall provide electronic access for electronic submission of applications.

D. Within two days of the close of the application period, the Division of Legislative Services shall provide to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest number of members in the Senate of Virginia the applications and documentation submitted by those applicants who are eligible for service on the Commission pursuant to subsection B and submitted complete applications, including any required documentation.

E. By January 1 of the year ending in one, those persons receiving the applications pursuant to subsection D shall each submit to the Committee a list of at least 16 citizen candidates for

service on the Commission. In selecting citizen candidates, they shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth.

They shall notify the Division of Legislative Services of the citizen candidates submitted to the Committee for consideration, and the Division of Legislative Services shall promptly provide to the Committee the applications and documentation for each citizen candidate being considered. Only the applications and documentation for each citizen candidate shall be maintained as public records.

F. Within two weeks of receipt of the lists of citizen candidates and related materials pursuant to subsection E, the Committee shall select, by a majority vote in a public meeting, two citizen members from each list submitted. In making its selections, the Committee shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. The Committee shall promptly notify those eight citizens of their selection to serve as a citizen commissioner of the Commission.

No member of the Committee shall communicate with a member of the General Assembly or the United States Congress, or any person acting on behalf of a member of the General Assembly or the United States Congress, about any matter related to the selection of citizen commissioners after receipt of the lists submitted pursuant to subsection E.

G. Notwithstanding the provisions of § 1-210 regarding the computation of time, if an act required by this section is to be performed on a Saturday, Sunday, or legal holiday, or any day or part of a day on which the government office where the act to be performed is closed, the act required shall be performed on the first business day immediately preceding the Saturday, Sunday, or legal holiday, or day on which the government office is closed.

§ 30-395. Staff to Virginia Redistricting Commission; census liaison.

A. The Division of Legislative Services shall provide staff support to the Commission. Staff shall perform those duties assigned to it by the Commission. The Director of the Division of Legislative Services, or his designated representative, shall serve as the state liaison with the United States Bureau of the Census on matters relating to the tabulation of the population for reapportionment purposes pursuant to P.L. 94-171. The governing bodies, electoral boards, and registrars of every county and municipality shall cooperate with the Division of Legislative Services in the exchange of all statistical and other information pertinent to preparation for the census.

B. The Division of Legislative Services shall maintain the current election district and precinct boundaries of each county and city as a part of the Commission's computer-assisted mapping and redistricting system. Whenever a county or city governing body adopts an ordinance that changes an election district or precinct boundary, the local governing body shall provide a copy of its ordinance, along with Geographic Information System (GIS) maps and other evidence documenting the boundary, to the Division of Legislative Services.

C. The provisions of Article 2 (§ 24.2-302 et seq.) of Chapter 3 of Title 24.2, including the statistical reports referred to in that article, shall be controlling in any legal determination of a district boundary.

§ 30-396. Public participation in redistricting process.

A. All meetings and hearings held by the Commission shall be adequately advertised and planned to ensure the public is able to attend and participate fully. Meetings and hearings shall be advertised in multiple languages as practicable and appropriate.

B. Prior to proposing any plan for districts for the United States House of Representatives, the Senate, or the House of Delegates and prior to voting to submit such plans to the General Assembly, the Commission shall hold at least three public hearings in different parts of the Commonwealth in order to receive and consider comments from the public.

C. The Commission shall establish and maintain a website or other equivalent electronic platform. The website shall be available to the general public and shall be used to disseminate information about the Commission's activities. The website shall be capable of receiving comments and proposals by citizens of the Commonwealth. Prior to voting on any proposed plan, the Commission shall publish the proposed plans on the website.

D. All data used by the Commission in the drawing of districts shall be available to the public on its website. Such data, including census data, precinct maps, election results, and shapefiles, shall be posted within three days of receipt by the Commission."

Page 242, line 9, after "fifth" insert "and ninth" and strike "enactment" and insert "enactments".

Explanation:

(This amendment provides for the implementation of the constitutional amendment establishing the Virginia Redistricting Commission, effective November 15, 2020, contingent upon the passage of the amendment by voters on the Tuesday after the first Monday in November 2020.)

SEN. DUNNAVANT

Item 313 17s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

“MMMMM. The Department of Medical Assistance Services shall allow Medicaid agency-directed personal care and respite services be allowed to conduct telephonic supervisory visits by a licensed nurse. The department’s forms shall be used to document the interaction during these phone calls and shall meet the standards already established by the department to include verbal consent, authorization, and confirmation of participation.”

The reading of the amendments was waived.

On motion of Senator Howell, the amendments were agreed to.

H.B. 5005, on motion of Senator Howell, was passed with its title.

The recorded vote is as follows:

YEAS--22. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--22.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--17.

RULE 36--0.

STATEMENTS ON VOTE

Senator Deeds stated that he was abstaining pursuant to Rule 36 on Item 4-14 #2s, but voting on **H.B. 5005** as a whole.

Senator Lewis stated that he was abstaining pursuant to Rule 36 on Item 3-1.01 FF, but voting on **H.B. 5005** as a whole.

Senator Locke stated that she was abstaining pursuant to Rule 36 on Item 303, but voting on **H.B. 5005** as a whole.

Senator Lucas stated that she was abstaining pursuant to Rule 36 on Item 313 #9s, Item 479.20 #1s, and Item 482.20 #18s, but voting on **H.B. 5005** as a whole.

Senator McClellan stated that she was abstaining pursuant to Rule 36 on Item 114, but voting on **H.B. 5005** as a whole.

Senator McPike stated that he was abstaining pursuant to Rule 36 on Item 385 and Item C-70, but voting on **H.B. 5005** as a whole.

Senator Norment stated that he was abstaining pursuant to Rule 36 on Item 313, but voting on **H.B. 5005** as a whole.

Senator Surovell stated that he was abstaining pursuant to Rule 36 on Item 374, but voting on **H.B. 5005** as a whole.

Senator Hanger stated that he wished to be recorded as voting nay on the question of agreeing to Item 299, Item 301, and Item 302 to **H.B. 5005**.

CONFERENCE COMMITTEE REPORT

Senator McPike, for the committee of conference on **H.B. 5043** (five thousand forty-three), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT

on House Bill No. 5043

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5043, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Delegate Jeffrey M. Bourne
/s/ Delegate Patrick A. Hope
/s/ Delegate Terry G. Kilgore
Conferees on the part of the House

/s/ Senator Jeremy S. McPike
/s/ Senator Jennifer L. McClellan
Senator Richard H. Stuart
Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 5043

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 16, consisting of a section numbered 9.1-193, and by adding a section numbered 37.2-311.1, relating to response to mental health crises; establishment of the mental health awareness response and community understanding services (Marcus) alert system.

Senator McPike moved that the joint conference committee report be agreed to.

Senator Suetterlein moved, as a substitute motion, that **H.B. 5043** be passed by for the day.

The question was put on passing **H.B. 5043** by for the day.

The yeas and nays were called for by the Chair.

The recorded vote is as follows:

YEAS--18. NAYS--20. RULE 36--1.

YEAS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--18.

NAYS--Barker, Bell, Boysko, Deeds, Ebbin, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--20.

RULE 36--Edwards--1.

The motion was rejected.

Senator McPike moved that **H.B. 5043** be passed by temporarily.

RECONSIDERATION

Senator Howell moved, as a substitute motion, to reconsider the vote by which the motion to pass **H.B. 5043** (five thousand forty-three) by for the day was rejected.

RULING OF THE CHAIR

Senator Favola propounded a parliamentary inquiry as to whether unanimous consent was required to reconsider the vote by which the motion to pass **H.B. 5043** by for the day was rejected.

The Chair ruled that unanimous consent was not required to reconsider the vote by which the motion to pass **H.B. 5043** by for the day was rejected.

RECESS

At 4:10 p.m., Senator Saslaw moved that the Senate recess until 4:40 p.m.

The motion was agreed to.

The hour of 4:40 p.m. having arrived, the Chair was resumed.

CONFERENCE COMMITTEE REPORT

H.B. 5043 (five thousand forty-three) was taken up.

RECONSIDERATION

The question was put on reconsidering the vote by which the motion to pass **H.B. 5043** (five thousand forty-three) by for the day was rejected.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--39.

NAYS--0.

RULE 36--0.

The question was put on passing **H.B. 5043** by for the day.

The motion was agreed to.

H.B. 5043 was passed by for the day.

HOUSE COMMUNICATION

The following communication was received and read:

In the House of Delegates
October 14, 2020

THE HOUSE OF DELEGATES HAS REJECTED THE SENATE AMENDMENTS AS SUBSTITUTED FOR HOUSE AMENDMENTS TO THE FOLLOWING HOUSE BILL:

H.B. 5005. A BILL to amend and reenact Chapter 1289 of the 2020 Acts of Assembly, which appropriated funds for the 2020-22 Biennium and provided a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2021, and the thirtieth day of June, 2022.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

CONFERENCE COMMITTEE REPORTS

H.B. 5049 (five thousand forty-nine), on motion of Senator Surovell, was passed by temporarily.

Senator Marsden, for the committee of conference on **H.B. 5050** (five thousand fifty), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT on House Bill No. 5050

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5050, report as follows:

- A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.
- B. We recommend that the engrossed bill be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Dan I. Helmer
/s/ Delegate David L. Bulova
/s/ Delegate Barry D. Knight
Conferees on the part of the House

/s/ Senator Jeremy S. McPike
/s/ Senator Frank M. Ruff, Jr.
/s/ Senator David W. Marsden
Conferees on the part of the Senate

On motion of Senator Marsden, the joint conference committee report was agreed to.

The recorded vote is as follows:
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--39.

NAYS--0.
RULE 36--0.

Senator Hashmi, for the committee of conference on **H.B. 5055** (five thousand fifty-five), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT
on House Bill No. 5055

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5055, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Charniele L. Herring
/s/ Delegate Marcia S. "Cia" Price
Delegate Jason S. Miyares
Conferees on the part of the House

/s/ Senator Ghazala F. Hashmi
/s/ Senator Jennifer L. McClellan
Senator Richard H. Stuart
Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 5055
[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight bodies.

On motion of Senator Hashmi, the joint conference committee report was agreed to.

The recorded vote is as follows:
YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--18.

RULE 36--0.

Senator Ebbin, for the committee of conference on **H.B. 5064** (five thousand sixty-four), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT
on House Bill No. 5064

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5064, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the engrossed bill be accepted with the following amendments to resolve the matter under disagreement.

1. Line 89, engrossed, after *within*
strike

five

insert

14

2. Line 92, engrossed, after *within*
strike

five

insert

14

3. Line 95, engrossed, after *within*
strike

five

insert

14

4. Line 98, engrossed, after *within*
strike

five

insert

14

Respectfully submitted,

/s/ Delegate Marcia S. "Cia" Price

/s/ Delegate David L. Bulova

Delegate James W. Morefield

Conferees on the part of the House

/s/ Senator Adam P. Ebbin

/s/ Senator John J. Bell

/s/ Senator Jennifer B. Boysko

Conferees on the part of the Senate

On motion of Senator Ebbin, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--22. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--22.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--17.

RULE 36--0.

HOUSE BILL ON THIRD READING

H.B. 5005 (five thousand five) was taken up.

On motion of Senator Howell, the Senate insisted on its amendments as substituted for House amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stuart, Suetterlein, Surovell, Vogel--38.

NAYS--Stanley--1.

RULE 36--0.

CONFERENCE COMMITTEE REPORTS

Senator Petersen, for the committee of conference on **H.B. 5068** (five thousand sixty-eight), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT

on House Bill No. 5068

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5068, report as follows:

We recommend that the Senate Amendment in the Nature of a Substitute be accepted with the following amendments to resolve the matter under disagreement.

1. Line 81, substitute, after *individuals*

insert

and qualifying children

2. Line 82, substitute, after *116-136*)

insert

or any future federal payments or rebates provided directly to individuals for economic relief or stimulus due to the COVID-19 pandemic, not to exceed \$1,200 per individual per payment or rebate, and not to exceed \$500 for each qualifying child paid to the individual per payment or rebate

Respectfully submitted,

/s/ Delegate Hala S. Ayala

/s/ Delegate Richard C. "Rip" Sullivan, Jr.

Delegate Les R. Adams

Conferees on the part of the House

/s/ Senator Scott A. Surovell
/s/ Senator J. Chapman Petersen
Senator A. Benton "Ben" Chafin
Conferees on the part of the Senate

On motion of Senator Petersen, the joint conference committee report was agreed to.

The recorded vote is as follows:
YEAS--36. NAYS--3. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell, Vogel--36.

NAYS--Chafin, Chase, DeSteph--3.
RULE 36--0.

H.B. 5099 (five thousand ninety-nine), on motion of Senator Surovell, was passed by temporarily.

H.B. 5104 (five thousand one hundred four), on motion of Senator Surovell, was passed by temporarily.

Senator Barker, for the committee of conference on **H.B. 5106** (five thousand one hundred six), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT
on House Bill No. 5106

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5106, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Joshua G. Cole
/s/ Delegate David L. Bulova
Delegate James W. Morefield
Conferees on the part of the House

/s/ Senator George L. Barker
/s/ Senator Adam P. Ebbin
Senator Bryce E. Reeves
Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 5106
[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to landlord and tenant, noncompliance with rental agreement; prohibition on using negative credit information arising from the COVID-19 pandemic against tenants or applicants for tenancy; penalty; emergency.

Senator Barker moved that the joint conference committee report be agreed to.

H.B. 5106, on motion of Senator Surovell, was passed by temporarily.

HOUSE COMMUNICATION

The following communication was received and read:

In the House of Delegates
October 14, 2020

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR A COMMITTEE OF CONFERENCE ON THE FOLLOWING HOUSE BILL:

H.B. 5005. A BILL to amend and reenact Chapter 1289 of the 2020 Acts of Assembly, which appropriated funds for the 2020-22 Biennium and provided a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2021, and the thirtieth day of June, 2022.

/s/ Suzette Denslow
Clerk of the House of Delegates

CONFERENCE PROCEDURES

Senator Howell, Chair of the Committee on Finance and Appropriations, appointed Senators Howell, Barker, and Hanger, the conferees on the part of the Senate for **H.B. 5005** (five thousand five).

CONFERENCE COMMITTEE REPORTS

Senator Boysko, for the committee of conference on **H.B. 5148** (five thousand one hundred forty-eight), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT on House Bill No. 5148

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5148, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Don L. Scott
/s/ Delegate Charniele L. Herring
Delegate Jason S. Miyares
Conferees on the part of the House

/s/ Senator Jennifer B. Boysko
/s/ Senator Scott A. Surovell
Senator John A. Cosgrove, Jr.
Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 5148
[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 53.1-202.3 of the Code of Virginia, relating to Department of Corrections; earned sentence credits.

On motion of Senator Boysko, the joint conference committee report was agreed to.

The recorded vote is as follows:
YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein, Vogel--18.
RULE 36--0.

Senator Morrissey, for the committee of conference on **S.B. 5007** (five thousand seven), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT
on Senate Bill No. 5007

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 5007, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute with Amendment be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Senator Joseph D. Morrissey
/s/ Senator John S. Edwards
/s/ Senator William M. Stanley, Jr.
Conferees on the part of the Senate

/s/ Delegate Charniele L. Herring
/s/ Delegate Don L. Scott
/s/ Delegate Carrie E. Coyner
Conferees on the part of the House

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 5007
[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3 of the Code of Virginia, relating to criminal cases; sentencing reform.

Senator Morrissey moved that the joint conference committee report be agreed to.

S.B. 5007, on motion of Senator Obenshain, was passed by for the day.

Senator Bell, for the committee of conference on **S.B. 5018** (five thousand eighteen), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT
on Senate Bill No. 5018

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 5018, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Senator John J. Bell
/s/ Senator T. Montgomery "Monty" Mason
/s/ Senator Emmett W. Hanger, Jr.
Conferees on the part of the Senate

/s/ Delegate Vivian E. Watts
/s/ Delegate Don L. Scott
Delegate Robert S. Bloxom, Jr.
Conferees on the part of the House

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 5018
[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend the Code of Virginia by adding in Article 2 of Chapter 2 of Title 53.1 a section numbered 53.1-40.02, relating to conditional release of terminally ill prisoners.

On motion of Senator Bell, the joint conference committee report was agreed to.

The recorded vote is as follows:
YEAS--22. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--22.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--16.

RULE 36--0.

Senator Locke, for the committee of conference on **S.B. 5030** (five thousand thirty), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT
on Senate Bill No. 5030

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 5030, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Senator Scott A. Surovell
/s/ Senator Mamie E. Locke
Senator Richard H. Stuart
Conferees on the part of the Senate

/s/ Delegate Charniele L. Herring
/s/ Delegate Michael P. Mullin
Delegate Carrie E. Coyner
Conferees on the part of the House

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 5030
[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding sections numbered 9.1-112.1 and 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3 through 19.2-83.7, relating to policing reform.

On motion of Senator Locke, the joint conference committee report was agreed to.

The recorded vote is as follows:
YEAS--21. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--17.

RULE 36--0.

Senator Boysko, for the committee of conference on **S.B. 5034** (five thousand thirty-four), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT
on Senate Bill No. 5034

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 5034, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Senator Jennifer B. Boysko

/s/ Senator Scott A. Surovell

/s/ Senator John A. Cosgrove, Jr.

Conferees on the part of the Senate

/s/ Delegate Don L. Scott

/s/ Delegate Charniele L. Herring

Delegate Jason S. Miyares

Conferees on the part of the House

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 5034

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 53.1-202.3 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2 of Chapter 2 of Title 53.1 a section numbered 53.1-40.02, relating to release of prisoners.

On motion of Senator Boysko, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--21. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--17.

RULE 36--0.

Senator Hashmi, for the committee of conference on **S.B. 5035** (five thousand thirty-five), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT

on Senate Bill No. 5035

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 5035, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Senator Ghazala F. Hashmi
/s/ Senator Jennifer L. McClellan
Senator Richard H. Stuart
Conferees on the part of the Senate

/s/ Delegate Charniele L. Herring
/s/ Delegate Marcia S. "Cia" Price
Delegate Jason S. Miyares
Conferees on the part of the House

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 5035

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight bodies.

On motion of Senator Hashmi, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--21. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--17.

RULE 36--0.

S.B. 5038 (five thousand thirty-eight), on motion of Senator Suetterlein, was passed by for the day.

Senator Barker, for the committee of conference on **S.B. 5081** (five thousand eighty-one), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT
on Senate Bill No. 5081

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 5081, report as follows:

A. We recommend that the House Amendment be rejected.

B. We recommend that the engrossed bill be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Senator George L. Barker
/s/ Senator Ghazala F. Hashmi
/s/ Senator Jennifer A. Kiggans
Conferees on the part of the Senate

/s/ Delegate Mark D. Sickles
/s/ Delegate C.E. Cliff Hayes, Jr.
/s/ Delegate Christopher T. Head
Conferees on the part of the House

On motion of Senator Barker, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--38.

NAYS--0.

RULE 36--0.

Senator Ebbin, for the committee of conference on **S.B. 5088** (five thousand eighty-eight), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT
on Senate Bill No. 5088

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 5088, report as follows:

We recommend that the House Amendment in the Nature of a Substitute be accepted with the following amendments to resolve the matter under disagreement:

1. Line 88, House Substitute, after *within*
strike
five
insert
14

2. Line 91, House Substitute, after *within*
strike
five
insert
14

3. Line 94, House Substitute, after *within*
strike
five
insert
14

4. Line 97, House Substitute, after *within*
strike
five
insert
14

Respectfully submitted,

/s/ Senator Adam P. Ebbin

/s/ Senator John J. Bell

/s/ Senator Jennifer B. Boysko

Conferees on the part of the Senate

/s/ Delegate Marcia S. "Cia" Price

/s/ Delegate David L. Bulova

Delegate James W. Morefield

Conferees on the part of the House

On motion of Senator Ebbin, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--26. NAYS--12. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Peake, Petersen, Saslaw, Spruill, Surovell--26.

NAYS--Chafin, Chase, Cosgrove, DeSteph, McDougle, Newman, Obenshain, Reeves, Ruff, Stanley, Stuart, Suetterlein--12.

RULE 36--0.

MEMORIAL RESOLUTIONS

On motion of Senator Saslaw, the questions on agreeing to the Senate resolutions that follow were considered en bloc.

On motion of Senator Saslaw, the following Senate resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

S.R. 561 (five hundred sixty-one).

S.R. 562 (five hundred sixty-two).

S.R. 565 (five hundred sixty-five).

CONFERENCE COMMITTEE REPORTS

Senator Surovell, for the committee of conference on **H.B. 5049** (five thousand forty-nine), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT

on House Bill No. 5049

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5049, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Charniele L. Herring
/s/ Delegate Dan I. Helmer
Delegate Jeffrey L. Campbell
Conferees on the part of the House

/s/ Senator Scott A. Surovell
/s/ Senator Mamie E. Locke
Senator Richard H. Stuart
Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 5049
[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding a section numbered 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3, 19.2-83.4, and 19.2-83.5, relating to acquisition and use of military property by law-enforcement agencies.

On motion of Senator Surovell, the joint conference committee report was agreed to.

The recorded vote is as follows:
YEAS--21. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart, Suetterlein--17.

RULE 36--0.

Senator Surovell, for the committee of conference on **H.B. 5099** (five thousand ninety-nine), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT
on House Bill No. 5099

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5099, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Charniele L. Herring
/s/ Delegate Lashrecse D. Aird
Delegate Jeffrey L. Campbell
Conferees on the part of the House

/s/ Senator Scott A. Surovell

/s/ Senator Mamie E. Locke

Senator Richard H. Stuart

Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 5099

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 19.2-56 of the Code of Virginia, relating to search warrants; provide notice of authority.

On motion of Senator Surovell, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--22. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Suetterlein, Surovell--22.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Stuart--16.

RULE 36--0.

H.B. 5104 (five thousand one hundred four), on motion of Senator Surovell, was passed by temporarily.

H.B. 5106 (five thousand one hundred six) was taken up.

Senator Petersen moved that the joint conference committee report be rejected.

The question was put on agreeing to the joint conference committee report.

The joint conference committee report was rejected.

The recorded vote is as follows:

YEAS--1. NAYS--37. RULE 36--0.

YEAS--Locke--1.

NAYS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--37.

RULE 36--0.

On motion of Senator Petersen, the Senate respectfully requested a second committee of conference on **H.B. 5106**.

The recorded vote is as follows:
YEAS--28. NAYS--9. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Petersen, Reeves, Saslaw, Spruill, Surovell--28.

NAYS--Chafin, Chase, Newman, Norment, Peake, Ruff, Stanley, Stuart, Suetterlein--9.
RULE 36--0.

Senator Surovell, for the committee of conference on **H.B. 5104** (five thousand one hundred four), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT
on House Bill No. 5104

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5104, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Charniele L. Herring
/s/ Delegate Marcia S. "Cia" Price
Delegate Nick Rush
Conferees on the part of the House

/s/ Senator Scott A. Surovell
/s/ Senator Mamie E. Locke
Senator Richard H. Stuart
Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 5104
[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 9.1-102, 15.2-1705, and 15.2-1709 of the Code of Virginia, relating to minimum qualifications for law-enforcement officer, etc.; disclosure of information.

On motion of Senator Surovell, the joint conference committee report was agreed to.

The recorded vote is as follows:
YEAS--31. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Newman, Norment, Peake, Petersen, Reeves, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--31.

NAYS--Chafin, Chase, DeSteph, Obenshain, Ruff--5.
RULE 36--0.

RECONSIDERATION

Senator Suetterlein moved to reconsider the vote by which the joint conference committee report on **H.B. 5104** (five thousand one hundred four) was agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--36.

NAYS--0.

RULE 36--0.

On motion of Senator Surovell, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--31. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Norment, Peake, Petersen, Reeves, Saslaw, Spruill, Stanley, Stuart, Suetterlein, Surovell--31.

NAYS--Chafin, Chase, DeSteph, Obenshain, Ruff--5.

RULE 36--0.

HOUSE COMMUNICATIONS

The following communications were received and read:

In the House of Delegates

October 14, 2020

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR A SECOND COMMITTEE OF CONFERENCE ON THE FOLLOWING HOUSE BILL:

H.B. 5106. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to landlord and tenant, noncompliance with rental agreement; prohibition on using negative credit information arising from the COVID-19 pandemic against tenants or applicants for tenancy; penalty; emergency.

/s/ Suzette Denslow

Clerk of the House of Delegates

In the House of Delegates

October 14, 2020

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORTS OF THE COMMITTEES OF CONFERENCE ON THE FOLLOWING SENATE BILLS:

S.B. 5018. A BILL to amend and reenact § 53.1-40.01 of the Code of Virginia, relating to conditional release of geriatric or terminally ill prisoners.

S.B. 5030. A BILL to amend and reenact §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 9.1-168, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding sections numbered 9.1-112.1 and 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3 through 19.2-83.7, relating to policing reform.

S.B. 5034. A BILL to amend and reenact §§ 53.1-40.01 and 53.1-202.3 of the Code of Virginia, relating to release of prisoners.

S.B. 5035. A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight body.

S.B. 5038. A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 16, consisting of a section numbered 9.1-193, and by adding a section numbered 37.2-311.1, relating to response to mental health crises; establishment of the mental health awareness response and community understanding services (Marcus) alert system.

S.B. 5081. A BILL to amend the Code of Virginia by adding a section numbered 32.1-37.01, relating to outbreaks of communicable disease of public health threat; posting of information.

EMERGENCY

S.B. 5088. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORTS OF THE COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

H.B. 5043. A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 37.2 an article numbered 5, consisting of sections numbered 37.2-320 through 37.2-323, relating to community care teams and mental health awareness response and community understanding services (Marcus) alert system.

H.B. 5049. A BILL to amend and reenact §§ 9.1-101, 9.1-102, 15.2-1123.1, and 18.2-312 of the Code of Virginia; to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, and by adding sections numbered 15.2-1721.1 and 15.2-1722.2; and to repeal § 52-11.3 of the Code of Virginia, relating to acquisition and use of military property by law-enforcement agencies.

H.B. 5050. A BILL to amend and reenact §§ 2.2-4343 and 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of Governor; purchase of personal protective equipment during a disaster caused by a communicable disease of public health threat.

H.B. 5055. A BILL to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight body.

H.B. 5064. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

H.B. 5068. A BILL to amend and reenact § 8.01-512.4 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 34 a section numbered 34-28.3, relating to state of emergency; emergency relief payments exempt; emergency.

EMERGENCY

H.B. 5099. A BILL to amend and reenact § 19.2-56 of the Code of Virginia, relating to search warrants; prohibition on no-knock search warrants.

H.B. 5104. A BILL to amend and reenact §§ 15.2-1705 and 15.2-1709 of the Code of Virginia, relating to minimum qualifications for law-enforcement officer, etc.; disclosure of information.

H.B. 5148. A BILL to amend and reenact § 53.1-202.3 of the Code of Virginia, relating to Department of Corrections; earned sentence credits.

/s/ Suzette Denslow

Clerk of the House of Delegates

LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

October 14, 2020

H.B. 5029. An Act to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3, 19.2-83.4, and 19.2-83.5, relating to law-enforcement officer; failure to intervene in use of excessive force; penalties.

H.B. 5045. An Act to amend and reenact § 18.2-64.2 of the Code of Virginia, relating to carnal knowledge of a person detained or arrested by a law-enforcement officer or an inmate, parolee, probationer, juvenile detainee, or pretrial defendant or posttrial offender; local or state law-enforcement officer; penalty.

H.B. 5051. An Act to amend and reenact §§ 9.1-102 and 15.2-1707 of the Code of Virginia, relating to decertification of law-enforcement officer.

H.B. 5069. An Act to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3, 19.2-83.4, and 19.2-83.5, relating to law-enforcement officers; prohibition on the use of neck restraints.

H.B. 5108. An Act to amend and reenact §§ 9.1-108 and 9.1-112 of the Code of Virginia, relating to the Criminal Justice Services Board; Committee on Training; membership and responsibilities.

H.B. 5109. An Act to amend and reenact §§ 9.1-102 and 15.2-1705 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 9.1-112.1, relating to the Department of Criminal Justice Services; law-enforcement officer training and qualifications.

S.B. 5014. An Act to amend and reenact §§ 9.1-102 and 9.1-188 of the Code of Virginia, relating to minimum training standards for law-enforcement officers; crisis intervention team training.

S.B. 5036. An Act to amend and reenact §§ 4.1-206 and 4.1-206.3 of the Code of Virginia, relating to alcoholic beverage control; local special events license; limitations on events during public health emergency.

S.B. 5106. An Act to amend the Code of Virginia by adding a section numbered 15.2-2209.1:1, relating to local land use approvals; extension of approvals to address the COVID-19 pandemic.

On motion of Senator Peake, a leave of absence for the day was granted Senator Pillion on account of pressing personal business.

HONORARY ADJOURNMENTS

Senator Deeds addressed the Senate in memory of former Delegate Bernard S. Cohen.

Senator Deeds requested that when the Senate adjourns, it adjourn in memory of former Delegate Bernard S. Cohen.

Senator McPike addressed the Senate in memory of J. Manley Garber.

Senator McPike requested that when the Senate adjourns, it adjourn in memory of J. Manley Garber.

RECESS

At 6:50 p.m., Senator Saslaw moved that the Senate recess until 4:10 p.m. on Friday, October 16, 2020.

The motion was agreed to.

The hour of 4:10 p.m. on Friday, October 16, 2020, having arrived, the Chair was resumed.

On motion of Senator Lucas, the Senate, in memory of former Delegate Bernard S. Cohen and J. Manley Garber, adjourned until Friday, October 16, 2020, at 4:20 p.m.

A handwritten signature in black ink, appearing to read "J. Fairfax". The signature is fluid and cursive, with the first letter of each name being significantly larger and more stylized.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with the first letter of each name being significantly larger and more ornate.

Susan Clarke Schaar
Clerk of the Senate

FRIDAY, OCTOBER 16, 2020

The Senate met at 4:20 p.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Mamie E. Locke, Second Senatorial District, offered the following prayer:

In speaking of John the Baptist, Jesus called him a lamp that burned and gave light. Wherever he went, John was a shining light, pointing others to Jesus Christ. Throughout the centuries, many people have been shining lights. Today, we are living in a world filled with darkness: spiritual, political, social, economic darkness. People all about us are groping for something to bring a shining light into the world. The Apostle Paul wrote in Philippians 2:15 that we are children of God without fault in a crooked and depraved generation in which you shine like stars in the universe. God does not place all of us in the same place to shine. Some may be called to shine in faraway places, others in their families, neighborhoods, places of business, or even here in this legislative chamber. Sometimes we are in such a dark place we think our small light cannot be seen. As the light of the world, Jesus shines through us in our lives and can bring light into darkness wherever He has placed us, even if we think our light is small. We must learn our purpose and how to use our light to the good.

May God bless us with all the light we need to carry us through this journey of life, no matter how humble our circumstances or undramatic our talents. May God take care of all our needs, touch our lives with contentment, bless our hearts with love and faith, and comfort our souls with gladness and inner peace. May God grant us all good health, lasting comfort and relief from the burdens of life, and may we all be good stewards of the light that He gives and shine that light as a blessing to others. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Nathan Hatfield, Assistant Clerk–LINCS, Senate Clerk’s Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Reeves, Ruff, Saslaw, Spruill, Stanley, Suetterlein, Surovell, Vogel.

A quorum was present.

On motion of Senator Chase, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--33. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Saslaw, Spruill, Suetterlein, Surovell, Vogel--33.

NAYS--Deeds, DeSteph, McDougle, Petersen, Stanley--5.

RULE 36--0.

CALENDAR

CONFERENCE PROCEDURES

Senator Barker, Chair of the Committee on General Laws and Technology, appointed Senators Barker, Ebbin, and Reeves, the conferees on the part of the Senate for a second committee of conference on **H.B. 5106** (five thousand one hundred six).

CONFERENCE COMMITTEE REPORTS

Senator Howell, for the committee of conference on **H.B. 5005** (five thousand five), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT

on House Bill No. 5005

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5005, report as follows:

A. We recommend that the House and Senate amendments be rejected.

B. We recommend that House Bill No. 5005, as introduced, be amended as follows to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Luke E. Torian

/s/ Delegate Mark D. Sickles

/s/ Delegate David L. Bulova

/s/ Delegate Betsy B. Carr

/s/ Delegate Roslyn C. Tyler

/s/ Delegate Barry D. Knight

Conferees on the part of the House

/s/ Senator Janet D. Howell

/s/ Senator George L. Barker

/s/ Senator Emmett W. Hanger, Jr.

Conferees on the part of the Senate

Item 0 #1c

Revenues

Revenues

Language

Language:

Page 1, strike lines 33 through 45, and insert:

	"First Year	Second Year	Total
Unreserved Balance, June 30, 2020	\$2,874,058,799	\$0	\$2,874,058,799
Additions to Balance	(\$1,284,491,604)	\$29,850,000	(\$1,254,641,604)
Official Revenue Estimates	\$21,353,132,509	\$22,185,484,514	\$43,538,617,023
Transfers	\$610,436,934	\$612,358,189	\$1,222,795,123
Total General Fund Resources			
Available for Appropriation	\$23,553,136,638	\$22,827,692,703	\$46,380,829,341".

Page 2, strike lines 1 through 14, and insert:

	"First Year	Second Year	Total
Balance, June 30, 2020	\$7,596,232,598	\$0	\$7,596,232,598
Official Revenue Estimates	\$39,404,473,571	\$39,604,200,895	\$79,008,674,466
Lottery Proceeds Fund	\$657,959,397	\$666,104,670	\$1,324,064,067
Internal Service Fund	\$2,115,253,639	\$2,231,861,108	\$4,347,114,747
Bond Proceeds	\$2,489,504,162	\$195,123,500	\$2,684,627,662
Total Nongeneral Fund Revenues			
Available for Appropriation	\$52,263,423,367	\$42,697,290,173	\$94,960,713,540
TOTAL PROJECTED REVENUES	\$75,816,560,005	\$65,524,982,876	\$141,341,542,881".

Explanation:

(This amendment includes the general fund and nongeneral fund revenue adjustments contained in the cumulative amendments included in the Conference Report.)



Item 50 #1c

Judicial Department	FY20-21	FY21-22	
Virginia State Bar	\$2,000,000	\$2,000,000	NGF

Language:

Page 8, line 32, strike "\$14,921,912" and insert "\$16,921,912".

Page 8, line 32, strike "\$14,921,912" and insert "\$16,921,912".

Page 8, set out Item 50.

Item 50, strike Paragraph B.2.

Item 50, after Paragraph B.1., insert:

"2. The amounts for Indigent Defense, Civil, include up to \$7,125,000 the first year and up to \$7,125,000 the second year from the general fund and \$2,000,000 the first year and \$2,000,000 the second year from nongeneral funds to provide grants for high quality civil legal assistance to low income Virginians and to promote equal access to justice."

Explanation:

(This amendment provides a \$2.0 million appropriation each year from nongeneral funds for additional eviction attorneys for the Virginia State Bar.)

Item 57 #1c

Executive Offices	FY20-21	FY21-22	
Attorney General and Department of Law	\$69,299 1.00	\$138,599 1.00	GF FTE

Language:

Page 10, line 42, strike "\$37,064,003" and insert "\$37,133,302".

Page 10, line 42, strike "\$37,064,003" and insert "\$37,202,602".

Page 10, line 42, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Legal Advice (32000)	\$37,064,003	\$37,064,003
	\$37,133,302	\$37,202,601
State Agency/Local Legal Assistance and Advice (32002)	\$37,064,003	\$37,064,003
	\$37,133,302	\$37,202,601
Fund Sources:		
General	\$23,169,033	\$23,169,033
	\$23,238,332	\$23,307,631
Special	\$12,644,138	\$12,644,138

Federal Trust	\$1,250,832	\$1,250,832
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Authority: Title 2.2 Chapter 5, Code of Virginia.

A. Out of this appropriation shall be paid:

1. The salary of the Attorney General, \$150,000 the first year and \$150,000 the second year.
2. Expenses of the Attorney General not otherwise reimbursed, \$9,000 each year in equal monthly installments.
3. Salary expenses necessary to provide legal services pursuant to Title 2.2, Chapter 5, Code of Virginia.

B. Out of this appropriation, \$738,536 the first year and \$738,536 the second year from the general fund is designated for efforts to enforce the 1998 Tobacco Master Settlement Agreement and Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia. The Department of Law shall be responsible for enforcement of Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia and the 1998 Tobacco Master Settlement Agreement. The general fund shall be reimbursed on a proportional basis from the Tobacco Indemnification and Community Revitalization Fund and the Virginia Tobacco Settlement Fund for costs associated with the enforcement of the 1998 Tobacco Master Settlement Agreement pursuant to transfers directed by Item 479 and § 3-1.01, Paragraph N. of this act.

C. Upon notification by the Attorney General, agencies that administer programs which are funded wholly or partially from nongeneral fund appropriations shall transfer to the Department of Law the necessary funds to cover the costs of legal services that are related to such nongeneral funds. The Attorney General, in consultation with the respective agency heads, shall determine the amounts for transfer. It is the intent of the General Assembly that legal services provided by the Office of the Attorney General for general fund-supported programs shall be provided out of this appropriation.

D. At the request of the Attorney General, the Director, Department of Planning and Budget, shall provide an amount not to exceed \$100,000 per year from the Miscellaneous Contingency Reserve Account to pay the compensation, fees, and expenses of (i) counsel appointed by the Office of the Attorney General in actions brought pursuant to § 15.2-1643, Code of Virginia, to cause court facilities to be made secure, or put in good repair, or rendered otherwise safe, and (ii) counsel representing court personnel, including clerks, judges, and Justices in actions arising out of their official duties.

E.1. Pursuant to Chapter 577 of the Acts of Assembly of 2008, the Office of the Attorney General shall provide legal service in civil matters and consultation and legal advice in suits and other legal actions to soil and water conservation district directors and districts upon the request of those district directors or districts at no charge, inclusive of all fees, expenses, or other costs associated with litigation, excluding the payment of damages.

2. If the Office of the Attorney General is unable to provide legal services to the soil and water

conservation districts, and as a result the districts incur costs from retaining other counsel, then the Director of the Department of Planning and Budget shall transfer general fund appropriations from the Office of the Attorney General to the Department of Conservation and Recreation in an amount equal to the cost incurred by the soil and water conservation districts to be used to reimburse the districts for costs incurred.

F. The Attorney General shall prepare and submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriation Committees by November 1 of each year detailing expenditures in the prior fiscal year for special outside counsel by any executive branch agencies. The report shall include the reasoning why outside counsel is necessary, the hourly rate charged by outside counsel, total expenditures, and funding source.

G. Except as otherwise specifically provided by law, all legal services of the Office of the Attorney General shall be performed exclusively by (i) an employee of the Office, (ii) an employee of another Virginia governmental entity as may be provided by law, (iii) an employee of a federal governmental entity pursuant to an agreement between the Office of the Attorney General and such federal governmental entity, or (iv) law students or recent law school graduates sponsored by a separate institution with a stipend. Except as otherwise specifically provided under this act, the sole source of compensation paid to employees of the Office of the Attorney General for performing legal services on behalf of the Commonwealth shall be from the appropriations provided under this act. In any case in which the Office of the Attorney General is authorized under law to contract with, hire, or engage a person other than a person described in clauses (i), (ii), (iii), or (iv) to perform legal services on behalf of the Commonwealth, the sole consideration for such legal services shall be a monetary amount bargained for in an arm's length transaction with such person and the Office of the Attorney General or another Virginia governmental entity, stating under what authority that office enters the contract. Only persons described in clauses (i), (ii), (iii), or (iv) shall perform legal services on premises leased by the Office of the Attorney General. Nothing in this paragraph shall prohibit the Office of the Attorney General from entering into a settlement agreement with a defendant arising from a case litigated or prosecuted by a federal governmental entity, local governmental entity, or an Attorney General's Office in another state or United States territory. Nothing in this paragraph shall prohibit the Office of the Attorney General from employing and providing office space to an unpaid intern assisting in performing legal services, provided that such intern does not possess a current license to practice law in the Commonwealth, any other state, or any United States territory."

Explanation:

(This amendment provides funding of \$69,299 from the general fund the first year and \$138,599 from the general fund the second year and 1.0 FTE attorney position to provide legal representation to the Department of Criminal Justice Services for additional decertification hearings pursuant to House Bill 5051 and Senate Bill 5030 of the 2020 Special Session I.)

Item 57 #2c

Executive Offices	FY20-21	FY21-22	
Attorney General and Department of Law	\$0 0.00	\$479,423 8.00	GF FTE

Language:

Page 10, line 42, strike "\$37,064,003" and insert "\$37,543,426".

Explanation:

(This amendment provides funding of \$479,423 from the general fund and 8.0 FTE positions in the second year related to the provisions of House Bill 5148/Senate Bill 5034 of the 2020 Special Session I.)

Item 61 #1c

Executive Offices	FY20-21	FY21-22	
Attorney General and Department of Law	\$114,709 2.00	\$229,418 2.00	GF FTE

Language:

Page 11, line 3, strike "\$929,917" and insert "\$1,044,626".

Page 11, line 3, strike "\$929,917" and insert "\$1,159,335".

Page 11, line 3, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

"Personnel Management Services (70400)	\$929,917 \$1,044,626	\$929,917 \$1,159,335
Compliance and Enforcement (70414)	\$929,917 \$1,044,626	\$929,917 \$1,159,335

Fund Sources:

General	\$853,468 \$968,177	\$853,468 \$1,082,886
Federal Trust	\$76,449	\$76,449

Authority: Title 2.2, Chapter 26, Article 12, and Chapter 39; Title 15.2, Chapter 16, § 15.2-1604, Code of Virginia."

Explanation:

(This amendment provides funding of \$114,709 from the general fund the first year and \$229,418 from the general fund the second year and 2.0 FTE positions to implement the

provisions of Senate Bill 5024, of the 2020 Special Session I, as passed the 2020 Special Session I.)

Item 69 #1c

Administration	FY20-21	FY21-22	
Compensation Board	\$0	(\$2,550,000)	GF

Language:

Page 12, line 6, strike "\$59,199,386" and insert "\$56,649,386".

Explanation:

(This amendment reflects the per diem savings for an anticipated reduction in state-responsible offenders resulting from the earned sentence credit provisions of House Bill 5148/Senate Bill 5034, of the 2020 Special Session I.)

Item 79 #1c

Administration

Department of General Services Language

Language:

Page 15, line 19, after "I.", strike "The" and insert:
"Notwithstanding the provisions of Acts of Assembly 1889 chapter 24, which is hereby repealed, the".

Explanation:

(This amendment updates language for the Department of General Services pertaining to the storage and removal of the Robert E. Lee Statue.)

Item 83 #1c

Administration

Department of Human Resource Management Language

Language:

Page 16, after line 2, insert:
"M. The Director of the Department of Human Resource Management shall communicate to all executive branch agencies the requirement that all employees with state email addresses and state phone numbers to include contact information in their email signature, which shall include,

at a minimum, an office phone number and/or state cell phone number."

Explanation:

(This amendment seeks to improve government accessibility as employees continue to telework during the COVID-19 pandemic. Upon enrolling Item 83 will be set out and enrolled appropriately.)

Item 84 #1c

Administration

Administration of Health Insurance

Language

Language:

Page 16, after line 3, insert:

"The Department of Human Resource Management (DHRM) shall work with the Joint Legislative Audit and Review Commission (JLARC) to enable the private actuarial firm that contracts with JLARC, to perform a peer review of the actuarial calculations used for the State Health Insurance Program. The review shall (1) review the reasonableness of actuarial methods, and accuracy of reports produced by the actuary; (2) assess the data and methods used to establish rates; (3) review and comment on actuarial models used to estimate the impact of plan changes, develop rates and budget projections, and monitor claims experience; and (4) provide recommendations concerning the appropriate target level of cash balances for the fund. DHRM shall reimburse JLARC for expenses incurred in the review from the balances in the health insurance fund. JLARC shall report the findings by September 30, 2021."

Explanation:

(This amendment directs DHRM to work with JLARC and their actuary to perform a peer review of the assumptions used to set rates for the State Employee Health Insurance Plan and balances maintained in the Health Insurance Fund (HIF).)

Item 86 #1c

Administration

Department of Elections

FY20-21

(\$2,000,000)

FY21-22

\$0 GF

Language:

Page 16, line 7, strike "\$20,858,038" and insert "\$18,858,038".

Page 16, strike lines 6 through 48 and insert "Not set out."

Page 17, strike lines 1 through 60.

Page 18, strike lines 1 through 3.

Explanation:

(This amendment removes duplicative funding and language related to the 2020 general and special elections. Chapter 1, 2020 Special Session I, Acts of Assembly, amended Chapter 1289, 2020 Acts of Assembly, to provide \$2.0 million from the general fund to reimburse localities for the cost of prepaid postage for the return of mailed absentee ballots, and language governing the administration of absentee ballots and drop-off boxes.)

Item 111 #1c

Commerce and Trade

Secretary of Commerce and Trade

Language

Language:

Page 23, after line 3, insert:

"E.1. The Commonwealth's Chief Workforce Advisor to the Governor shall convene a workgroup to review the Commonwealth's state public works payment process to contractor employees to identify whether misclassification of workers is a prevalent problem. If the findings reveal such misclassification, the workgroup shall identify and make process improvement recommendations to correct any identified issues.

2. The workgroup shall consist of the Commonwealth's Chief Workforce Advisor to the Governor, Secretary of Finance, Secretary of Administration, and Secretary of Commerce and Trade, or their designees, staff from the House Appropriations and Senate Finance and Appropriations Committees, representatives from Virginia public colleges and universities and state agencies, two representatives from labor organizations that can bring forth to the workgroup documented situations where such misclassification has occurred on Commonwealth public work projects, two representatives from the general contractor business community with experience in providing construction services to the Commonwealth, and representatives from the Department of General Services, Department of Small Business and Supplier Diversity, Department of Labor and Industry, and Department of Taxation. The membership of this workgroup shall not exceed 20 individuals.

3. The Chief Workforce Advisor shall report initial findings and recommendations to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee no later than December 15, 2020. A final report to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee will be submitted no later than April 15, 2021."

Explanation:

(This amendment creates a workgroup to review the Commonwealth's state public works payment process to contractor employees. Upon enrolling Item 111 will be set out and enrolled appropriately.)

Item 112 #1c

Commerce and Trade	FY20-21	FY21-22	
Economic Development Incentive	(\$3,000,000)	(\$3,000,000)	GF
Payments	(\$630,000)	(\$261,000)	NGF

Language:

Page 23, line 5, strike "\$77,898,533" and insert "\$74,268,533".

Page 23, line 5, strike "\$55,528,283" and insert "\$52,267,283".

Page 23, line 5, strike "Not set out." and insert:

"D. Out of the appropriation for this item, ~~\$3,000,000 the first year and \$3,000,000 the second year from the general fund shall be deposited to the Aerospace Manufacturing Performance Grant Fund, and \$630,000 the first year and \$261,000 the second year from the Aerospace Manufacturer Workforce Training Grant Fund is hereby appropriated. These funds shall be used for grants in accordance with §§ 59.1-284.20 and 59.1-284.22, Code of Virginia.~~"

Explanation:

(This amendment removes appropriations for economic development incentive payments related to the Rolls-Royce facility in Prince George County. The facility is closing due to a COVID-related drop in demand in the aerospace industry. Upon enrolling, Item 112 will be set out and enrolled appropriately.)

Item 112 #2c

Commerce and Trade	FY20-21	FY21-22	
Economic Development Incentive	(\$2,776,800)	(\$436,800)	GF
Payments			

Language:

Page 23, line 5, strike "\$77,898,533" and insert "\$75,121,733".

Page 23, line 5, strike "\$55,528,283" and insert "\$55,091,483".

Page 23, line 5, strike "Not set out." and insert:

"B.1. Out of the appropriation for this item, ~~\$5,223,700~~ \$4,946,900 the first year and ~~\$4,978,700~~ \$4,541,900 the second year from the general fund shall be deposited to the Investment Performance Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5101, Code of Virginia.

2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure."

Page 23, line 5, strike "Not set out." and insert:

"L. 1. Out of the appropriation in this item, ~~\$3,230,000~~ \$730,000 the first year and \$2,993,750 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants in accordance with legislation to be considered by the 2020 General Assembly.

2. Of the amounts deposited to the fund, ~~\$2,500,000 the first year and~~ \$2,500,000 the second year may be awarded as grants to a qualified pharmaceutical company in a qualified locality pursuant to the legislation and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.

3. Of the amounts deposited to the fund, \$730,000 the first year and \$493,750 the second year may be awarded as grants to a comprehensive community college and a baccalaureate public institution of higher education in or near the eligible county pursuant to the legislation."

Explanation:

(This amendment postpones planned economic development incentive payments as a result of project delays caused by the COVID-19 pandemic and updated performance data. Upon enrolling, Item 112 will be set out and enrolled appropriately.)

Item 113 #1c

Commerce and Trade

Department of Housing and Community Development

Language

Language:

Page 24, line 44, after "E." insert "1."

Page 24, line 45, after "pandemic" strike "." and insert:

", with the exception of monies provided for the continuation of the Virginia Rent and Mortgage Relief Program in paragraph E.2.

2. Out of the amounts appropriated in paragraph E.1., \$12,500,000 in the first year from the general fund is hereby designated to continue the Virginia Rent and Mortgage Relief Program when monies allocated from the Coronavirus Relief Funds awarded to the Commonwealth through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) expire. In addition to the amounts designated in this paragraph, it is the intent of the General Assembly that the Department use additional funds, if necessary, from the amounts appropriated in paragraph E.1. to sustain the Virginia Rent and Mortgage Relief Program, during the declared state of emergency pursuant to § 44-146.17, Code of Virginia, in response to a communicable disease of public health threat as defined in § 44-146.16, Code of Virginia."

Page 24, line 46, strike "2" and insert "3".

Page 24, after line 52, insert:

"4.a. In administering the funds appropriated in paragraphs B.1. and B.2. of Item 479.10 for the Virginia Rent and Mortgage Relief Program, the Department shall allow for financial assistance

to cover one-hundred percent of current and past due rent included in the application for rental assistance. The financial assistance supported with funds in paragraphs B.1. and B.2. of Item 479.10 for the Virginia Rent and Mortgage Relief Program shall cover the period between April 1, 2020 and expiration of the Coronavirus Relief Funds awarded to the Commonwealth through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136).

b. In administering the funds appropriated in paragraph E.2. of this item for the Virginia Rent and Mortgage Relief Program, the Department shall allow for financial assistance to cover one-hundred percent of current and past due rent included in the application for rental assistance. At such time the general funds provided in paragraph E.2. of this item are deployed, the Department may allow for financial assistance to be used to cover past due rent accumulated prior to April 1, 2020.

c. Landlords and tenants shall be able to access the funds appropriated in paragraph E.2. of this item and paragraphs B.1. and B.2. of Item 479.10 for the Virginia Rent and Mortgage Relief Program."

Explanation:

(This amendment designates \$12.5 million from the general fund in the first year for the continuation of the Virginia Rent and Mortgage Relief Program in 2021. The program is currently funded with federal Coronavirus Relief Funds, which expire December 31, 2020. It further directs the Department to use additional resources from the Housing Trust Fund to sustain the Virginia Rent and Mortgage Relief Program during the current state of emergency, if necessary. The amendment also outlines policies that will allow for broader deployment of the resources provided for the Virginia Rent and Mortgage Relief Program.)

Item 114 #1c

Commerce and Trade

Department of Housing and Community Development

Language

Language:

Page 28, after line 32, insert:

"5. The Broadband Advisory Council shall assess updating the Virginia Telecommunication Initiative (VATI) to allow for public broadband authorities to apply directly for VATI funds without investment from the private sector. The Department of Housing and Community Development on behalf of the Council shall submit feedback on the potential impacts of this policy change to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on or before the start of the 2021 General Assembly Session."

Explanation:

(This amendment directs the Broadband Advisory Council to review a policy change for the

Virginia Telecommunication Initiative.)

Item 127 #1c

Commerce and Trade

Department of Professional and Occupational Regulation

Language

Language:

Page 32, line 1, strike "Not set out." and insert:

"D. The Secretaries of Commerce and Trade and of Health and Human Resources, the Department of Professional and Occupational Regulation, the Virginia Department of Health, and the Board for Barbers and Cosmetology shall work with stakeholders to update the COVID-19 Phase 3 or later Personal Care and Personal Grooming Services guidelines no later November 1, 2020, to authorize any individual licensed to practice under Chapter 7 of Title 54.1 of the Code of Virginia to temporarily remove a customer's nose and face covering during such time that it must be removed in order to provide a service effectively and safely. The guidelines may require enhanced safety precautions in the absence of a customer face covering, including requiring the licensee to wear a face shield and/or utilize some other similar barrier."

Explanation:

(This amendment adds language to enable professions regulated by the Board for Barbers and Cosmetology to provide services that require the removal of a facial covering, safely. Currently, 45 other states have implemented similar guidelines that modify requirements for facial coverings in order for services, such as facials to be performed in a safe and effective manner. Upon enrolling, Item 127 will be set out and enrolled appropriately.)

Item 128 #1c

Commerce and Trade

Department of Small Business and Supplier Diversity

Language

Language:

Page 32, line 3, strike "Not set out." and insert:

"C.1. Out of the amounts in this item, \$819,753 the first year and \$819,753 the second year from the general fund shall be deposited to the Small Business Investment Grant Fund pursuant to § 2.2-1616, Code of Virginia. The department shall aggressively market the program and shall report to the Governor and the Secretary of Commerce and Trade on the status of the program by November 1 of each year.

2. *In administering the funds allocated in paragraphs B.1. and B.2. of Item 479.10 of this act for*

the Rebuild Virginia Grant program, the Department shall reexamine its program eligibility criteria and maximum grant award to ensure deployment of funds prior to the expiration of the Coronavirus Relief Funds awarded to the Commonwealth through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136). At a minimum, the Department shall expand the eligibility criteria to include small businesses: that have already received CARES Act funding from any federal, state, regional or local agency or authority, meet the small business definition of § 2.2-1604 of the Code of Virginia, and are Virginia-based recreation and related tourism small businesses."

Explanation:

(This amendment provides guidance to the Department of Small Business and Supplier Diversity on the deployment of funds provided for the Rebuild Virginia program. Upon enrolling, Item 128 will be set out and enrolled appropriately.)

Item 131 #1c

Commerce and Trade

Virginia Employment Commission

Language

Language:

Page 33, line 9, strike "Not set out." and insert:

"G. The Virginia Employment Commission shall establish and maintain one dedicated full-time customer service position responsible for investigating and responding to legislative inquiries."

Explanation:

(This amendment directs the VEC to establish and maintain a position that will be responsible for investigating and responding to legislative inquiries. Upon enrolling, Item 131 will be set out and enrolled appropriately.)

Item 135 #1c

Commerce and Trade

FY20-21

FY21-22

Virginia Innovation Partnership
Authority

\$20,000,000

\$0 NGF

Language:

Page 33, line 35, strike "\$25,700,000" and insert "\$45,700,000".

Explanation:

(This amendment reflects \$20 million of nongeneral fund resources appropriated during the

2020 General Assembly Session. This is a technical amendment. Upon enrolling, Item 135 will be set out and enrolled appropriately.)

Item 135 #2c

Commerce and Trade

Virginia Innovation Partnership Authority

Language

Language:

Page 33, line 35, strike "Not set out." and insert:

"Q. Until such time the VIPA Board of Directors is fully appointed, the President and CEO of the Authority's managing nonprofit, the Center for Innovative Technology shall have the authority to approve the funds provided for centers of excellence in this item. Centers of Excellence include Virginia Center for Unmanned Systems, Virginia Biosciences Health Research Corporation, Commonwealth Center for Advanced Manufacturing, and Commonwealth Cyber Initiative."

Explanation:

(This amendment ensures the funding approved by the 2020 General Assembly for the Centers of Excellence (the Centers) under the Virginia Innovation Partnership Authority (VIPA) can be distributed to the Centers during the establishment of VIPA's Board of Directors. This is a technical amendment. Upon enrolling, Item 135 will be set out and enrolled appropriately.)

Item 135 #3c

Commerce and Trade

FY20-21

FY21-22

Virginia Innovation Partnership Authority

\$5,000,000

\$0 NGF

Language:

Page 33, line 35, strike "\$25,700,000" and insert "\$30,700,000".

Page 33, line 35, strike "Not set out." and insert:

"K.1. Out of the appropriation in this item, \$3,750,000 the first year and \$3,750,000 the second year from the general fund and \$5,000,000 the first year from nongeneral funds shall be provided for the Virginia Biosciences Health Research Corporation (VBHRC), a non-stock corporation research consortium initially comprised of the University of Virginia, Virginia Commonwealth University, Virginia Polytechnic Institute and State University, George Mason University and the Eastern Virginia Medical School. The consortium will contract with private entities, foundations and other governmental sources to capture and perform research in the biosciences, as well as promote the development of bioscience infrastructure tools which can be used to facilitate additional research activities. The Department of Planning and Budget is

authorized to provide these funds to the non-stock corporation research consortium referenced in this paragraph upon request filed with the Department of Planning and Budget by VBHRC.

2. Of the amounts provided in K.1. for the research consortium, up to \$3,750,000 the first year and \$3,750,000 the second year may be used to develop or maintain investments in research infrastructure tools to facilitate bioscience research.

3. The remaining funding shall be used to capture and perform research in the biosciences and must be matched at least dollar-for-dollar by funding provided by such private entities, foundations and other governmental sources. No research will be funded by the consortium unless at least two of the participating institutions, including the five founding institutions and any other institutions choosing to join, are actively and significantly involved in collaborating on the research. No research will be funded by the consortium unless the research topic has been vetted by a scientific advisory board and holds potential for high impact near-term success in generating other sponsored research, creating spin-off companies or otherwise creating new jobs. The consortium will set guidelines to disburse research funds based on advisory board findings. The consortium will have near-term sustainability as a goal, along with corporate-sponsored research gains, new Virginia company start-ups, and job creation milestones.

4. Other publicly-supported institutions of higher education in the Commonwealth may choose to join the consortium as participating institutions. Participation in the consortium by the five founding institutions and by other participating institutions choosing to join will require a cash contribution from each institution in each year of participation of at least \$50,000.

5. Of these funds, up to \$500,000 the first year and \$500,000 the second year may be used to pay the administrative, promotional and legal costs of establishing and administering the consortium, including the creation of intellectual property protocols, and the publication of research results.

6. VBHRC, in consultation with the publicly-supported institutions of higher education in the Commonwealth participating in the consortium, shall provide to the Secretary of Commerce and Trade, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Director of the Department of Planning and Budget, and VIPA by October 1 of each year a written report summarizing the activities of the consortium, including, but not limited to, a summary of how any funds disbursed to the consortium during the previous fiscal year were spent, and the consortium's progress during the fiscal year in expanding upon existing research opportunities and stimulating new research opportunities in the Commonwealth.

7. The accounts and records of the consortium shall be made available for review and audit by the Auditor of Public Accounts upon request.

8. Up to \$2,500,000 of the funds managed by the Commonwealth Health Research Board (CHRB), created pursuant to § 32.1-162.23, Code of Virginia, shall be directed toward collaborative research projects, approved by the boards of the VBHRC and CHRB, to support Virginia's core bioscience strengths, improve human health, and demonstrate commercial viability and a high likelihood of creating new companies and jobs in Virginia.

9.a. The VBHRC shall administer a one-time grant program designed to support the acceleration of clinical testing of a therapeutic drug that treats clinical symptoms caused by COVID-19. VBHRC shall consult with subject matter experts in the healthcare industry or academia to develop criteria for awarding funds provided in paragraph P.3. of this item. At a minimum, these criteria must include: (i) the company was founded in and is headquartered in Virginia; and (ii) the company is actively conducting a Phase 1 or Phase 2 clinical trial of a therapeutic drug approved by the United States Food and Drug Administration ("FDA") to treat life-threatening symptoms caused by COVID-19. In awarding these funds, the board of directors of the VBHRC may waive the requirements that (i) two of the participating institutions are actively and significantly involved in collaborating on the research, and (ii) funding be matched at least dollar-for-dollar by funding provided by private entities, foundations and other governmental sources.

b. In awarding these funds, VBHRC may, in consultation with the President and CEO of the Virginia Innovation Partnership Authority's managing nonprofit, the Center for Innovative Technology, and individuals with investment expertise in the area of pharmaceutical drug development: (i) require the grantee to offer to conduct subsequent clinical trials of its drug in hospitals located in Virginia, provided the hospitals have the capacity to participate in the trial in a timely manner that is consistent with and does not delay the company's clinical trial schedule; (ii) require the grantee to give a preference to qualified Virginia pharmaceutical manufacturers for production of the grantee's COVID-19 therapeutic drug, provided the manufacturers have the capacity to produce the drug in a timely manner that is consistent with and does not delay the company's production schedule; and, (iii) seek a reasonable amount of equity interest in the grantee company in return for the grant."

Page 33, line 35, strike "Not set out." and insert:

"P.1. Out of the amounts transferred to the Authority as a result of actions taken pursuant to Item 126.10, paragraph S.5 of the Chapter 854, 2019 Acts of Assembly, \$10,000,000 the first year shall be allocated to the Commonwealth Commercialization Fund to foster innovative and collaborative research, development, and commercialization efforts in the Commonwealth in projects and programs with a high potential for economic development and job creation as specified in § 2.2-2359, Code of Virginia.

2. Out of the amounts transferred to the Authority as a result of actions pursuant to Item 126.10, paragraph S.5 of the Chapter 854, 2019 Acts of Assembly, \$5,000,000 the first year shall be allocated to scale the Commonwealth Cyber Initiative (CCI) for activities at the Hub, Virginia Polytechnic Institute and State University, and Node sites and \$5,000,000 the first year shall be allocated for the leasing of space and establishment of the Hub by the anchoring institution.

3. Out of the amounts transferred to the Authority as a result of actions pursuant to Item 126.10, paragraph S.5 of the Chapter 854, 2019 Acts of Assembly, \$5,000,000 the first year shall be allocated to the Virginia Biosciences Health Research Cooperation to administer the program outlined in paragraph K.9. of this item. The funds provided in this paragraph shall be transferred to the Virginia Biosciences Health Research Cooperation within 30 days of the

passage of this act.

3: 4. Excluding the amounts in paragraph P.1., ~~and P.2., and P.3.~~ of this item, any additional funds transferred to the Authority as a result of actions pursuant to Item 126.10, paragraph S.5 of the Chapter 854, 2019 Acts of Assembly may be used: (1) to enable the establishment of a fund of funds that will permit the Commonwealth to invest in one or more syndicated private investment funds; (2) to enhance direct investment programs by placing additional investments in partnership with Virginia accelerators and university technology commercialization programs; and (3) to enable the establishment of a sustainable program to enhance discovery of, and early investment in, technologies aligned with the Virginia Innovation Index. Decisions to invest in private funds shall be subject to approval by the Board of Directors. Investments in such funds shall be monitored by the Board of Directors."

Explanation:

(This amendment provides \$5 million in the first year from the nongeneral fund to accelerate the research and development of therapeutic drug treatments for COVID-19. Upon enrolling, Item 135 will be set out and enrolled appropriately.)

Item 141 #1c

Education

Department of Education, Central Office Operations

Language

Language:

Page 35, after line 8, insert:

"E. Virginia Initiative to Support Internet Outside of School Networks (VISION) program.

To support technology needs and internet access for virtual learning as a result of extended school closures and modified school schedules through the VISION program, \$26,900,000 in federal relief funds are provided from the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), including \$18,000,000 in Governor's Education Emergency Relief (GEER) funds previously announced for this purpose and \$8,900,000 in GEER funds previously announced to support longer-term internet access initiatives."

Explanation:

(This amendment redirects \$8.9 million in federal Governor's Education Emergency Relief funds that had previously been announced to be used to support longer-term internet access initiatives to provide a total of \$26.9 million to support school divisions with shorter-term virtual learning needs. It is the intent of the General Assembly that this item be set out during enrolling.)

Item 144 #1c

Education

Direct Aid to Public Education

Language

Language:

Page 36, line 3, set out Item 144.

Item 144, after Paragraph G.3, insert:

"4. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is provided for tuition scholarships to be specifically allocated solely for licensed public high school teachers pursuing additional credentialing requirements necessary to be considered faculty who are qualified to teach dual enrollment courses in high schools in their local school division. The Department of Education shall make payments on behalf of the scholarship recipients directly to the *regionally accredited* Virginia institution of higher education where the scholarship recipient is enrolled ~~full-time or part-time in an approved undergraduate or graduate teacher education program~~ *in courses for credit* applicable to dual enrollment course curriculum available for public high school students. The lifetime maximum dual enrollment tuition scholarship award for each approved eligible teacher is \$7,500. Eligibility for access to these dual enrollment tuition scholarship awards shall be determined through an application process whereby school divisions shall apply to the Department of Education. In the application process, the applying school division shall include: i) an explanation of why such dual enrollment tuition scholarship is warranted, ii) the dual enrollment course or courses that shall be offered by the scholarship recipient's high school and taught by the recipient upon the recipient's successful completion of required coursework for appropriate credentialing to teach such dual enrollment courses, and iii) the projected student enrollment in the recipient taught public high school dual enrollment courses. The Department of Education shall compile and report the application information for each applying school division, and shall also report the number of recipients and amount of tuition awarded to each school division, the institution of higher education receiving tuition, the credentialing area pursued by recipients, and dual enrollment courses offered after the recipient's successful completion of the pursued credentialing. The Department shall submit the report by June 30, 2020, and annually thereafter, to the House Committees on Education and Appropriations and the Senate Committees on Finance and Appropriations and Education and Health."

Explanation:

(This amendment sets out Item 144 and adds clarifying language, in Paragraph G.4., that the Dual Enrollment Tuition Scholarships Grant funds are for teachers taking courses applicable toward meeting dual enrollment teaching requirements. The current language requires enrollment in a teacher preparation program, which is not applicable for teachers seeking to teach dual enrollment courses. The Department of Education recommended this change to the General Assembly in RD228 - Report on Dual Enrollment Tuition Scholarships Grant Program.)

Item 145 #1c

Education

Direct Aid to Public Education

Language

Language:

Page 49, after line 13 insert:

"5) Notwithstanding any other provision in statute or in this item, to provide temporary flexibility in the first year, school divisions may elect to use textbook payments to address costs incurred as a result of reopening schools that were closed due to the COVID-19 pandemic or to support virtual learning needs in school divisions that have not fully reopened to in-person instruction. Such costs may include, but are not limited to cleaning supplies, personal protective equipment, reduced class sizes to meet social distancing guidelines, technology needs and internet access. No local match is required to receive these state funds in the first year only and such local match shall be excluded from the determination of required local effort in the first year pursuant to Item 145.B.8. of this act, and § 22.1-97, Code of Virginia."

Explanation:

(This amendment permits school divisions to use textbook payments in the first year to address costs of providing virtual instruction or reopening schools to in-person instruction, and waives local match requirements for these funds in the first year.)

Item 145 #2c

Education

Direct Aid to Public Education

Language

Language:

Page 47, after line 19, insert:

"30. In the first year only, the Department of Education shall not reduce semi-monthly payments to school divisions due to mid-year adjustments to ADM projections. Semi-monthly payments occurring after the final calculation of March 31 ADM shall be adjusted to address changes in membership that occur throughout the school year. It is the intent of the General Assembly that this is a one-time action to address fluctuating enrollment resulting from the COVID-19 emergency."

Explanation:

(This amendment delays reductions to state payments resulting from reduced ADM projections until after the final March 31 ADM is calculated. Normally, state payments to school divisions are adjusted in January to reflect revised ADM projections, which are based in part on

September 30 membership counts. This amendment would prevent school divisions from experiencing any reductions in state payments until after the final calculation of March 31 ADM.)

Item 145 #3c

Education	FY20-21	FY21-22
Direct Aid to Public Education	\$95,227,730	\$0 NGF

Language:

Page 36, line 5, strike "\$7,732,305,702" and insert "\$7,827,533,432".

Page 38, after line 20 insert:

	"FY 2021	FY 2022
COVID-19 Local Relief Payments	\$95,227,730	\$0".

Page 73, after line 27 insert:

"43. COVID-19 Local Relief Payments

a. This item includes an appropriation estimated at \$95,227,730 in the first year from the COVID-19 Relief Fund established in § 22.1-115.1 of the Code of Virginia to be distributed to school divisions as COVID-19 Local Relief payments in support of the Standards of Quality. Local governing bodies shall appropriate these funds to school divisions in the same manner in which they appropriate sales tax revenues dedicated to public education.

b. This local relief payment represents the net increase in the estimated amounts of the local share of Basic Aid costs from the amount estimated in Chapter 1289, 2020 Acts of Assembly, to the amount estimated in House Bill 5005 and Senate Bill 5015, as introduced for the 2020 Special Session I, and shall be distributed to school divisions based on this methodology.

c. For the purposes of calculating Required Local Expenditure as defined in this item, this local relief payment will be counted as a credit toward the local share of the costs of the Standards of Quality in the first year.

d. It is the intent of the General Assembly to update this local relief payment based on any subsequent increases to the Sales Tax estimates approved by the General Assembly and included in this item."

Explanation:

(This amendment provides \$95.2 million the first year from the COVID-19 Relief Fund, established in § 2.2-115.1 of the Code of Virginia, to be disbursed to school divisions as COVID-19 Local Relief payments in support of the Standards of Quality. These one-time payments will be distributed to school divisions based on the net reduction of state funds apportioned to school divisions in the Appropriation Act introduced at the 2020 Special Session

I from those apportioned in Chapter 1289, 2020 Acts of Assembly. These funds would be counted as a credit toward the local share of the costs of the Standards of Quality in the first year.)

Item 152 #1c

Education

State Council of Higher Education for Virginia

Language

Language:

At the end of Item 152, insert:

"T. During the 2020-2022 biennium, the Council shall coordinate (i) the dissemination to the institutions the measures of financial status included in the most recent Auditor of Public Accounts Higher Education Comparative Report, and (ii) collection of institutions' resulting financial sustainability reviews and possible action plans, to include if warranted discussion of a full range of potential structural options to improve long-term financial health. The six-year plan review group identified under § 23.1-306 shall review such submissions."

Explanation:

(This amendment directs SCHEV to disseminate to institutions certain comparative financial measures and to collect financial sustainability reviews and action plans, for review in addition to on-going existing six-year plans.)

Item 214 #1c

Higher Education

Virginia Commonwealth University

Language

Language:

Page 85, after line 34, insert:

"3. Funding designated in paragraphs D.1. and D.2. of this item are intended as a pass-through payment to support the Center on Aging and dementia-related research by investigators throughout the Commonwealth. These funds shall be exempt from supplantation assessment or other budget management plans at Virginia Commonwealth University."

Explanation:

(This amendment clarifies that funding for the Center on Aging is exempt from budget management plans proposed to or implemented by Virginia Commonwealth University.)

Item 221 #1c

Higher Education	FY20-21	FY21-22
Virginia Community College System	\$2,000,000	\$0 GF

Language:

Page 86, line 31, strike "\$119,054,661" and insert "\$121,054,661".

Page 86, after line 22, insert:

"B. 1. Funding in this item shall be allocated for the Virginia Guaranteed Assistance Program, the Commonwealth Award and need-based student financial assistance for industry-based certifications or related programs that do not qualify for other sources of student financial assistance.

2. *Out of this appropriation, \$2,000,000 the first year from the general fund is designated for students enrolled in eligible workforce programs at the Virginia Community College System and Richard Bland College in partnership with the VA Ready program. This partnership leverages private resources in order to assist Virginians unemployed as a result of the COVID-19 pandemic to earn credentials in high demand fields."*

Explanation:

(This amendment provides additional state support for workforce programs at the VCCS and Richard Bland College that partner with VA Ready in certain eligible fields to earn credentials. The program leverages private support to enable Virginians unemployed as a result of the COVID-19 pandemic to earn credentials in high demand fields.)

Item 247 #1c

Other Education	FY20-21	FY21-22
The Library Of Virginia	\$1,000,000	\$0 GF

Language:

Page 91, line 43, strike "\$18,233,584" and insert "\$19,233,584".

Page 91, after line 43, insert:

"D. Out of this appropriation, \$1,000,000 from the general fund in the first year is designated to provide aid to local libraries to expand broadband access to support Virginia families in virtual learning and job search assistance efforts. The State Library shall allocate these funds to localities to expand local wi-fi and mobile hotspots."

Explanation:

(This amendment provides general fund support for aid to local libraries. The funding would be used to provide broadband access to citizens, job search assistance, and a virtual learning environment for students and educators.)

Item 262.80 #1c

Higher Education	FY20-21	FY21-22
Maintain Affordable Access	\$60,000,000	\$0 GF

Language:

Page 98, after line 25, insert:

"§ 1-82.60 MAINTAIN AFFORDABLE ACCESS (XXX)

262.80 Education and General Program (10000)	\$60,000,000	\$0
Fund Sources: General	\$60,000,000	\$0 "

Page 98, after line 25, insert:

"Authority: Discretionary Inclusion

A. Out of this appropriation, \$60,000,000 the first year from the general fund is designated to maintain affordable access to public colleges and universities. Allocations from this item are as follows:

Institution	FY 2021 Allocation
Christopher Newport University	\$2,400,000
College of William and Mary	3,500,000
James Madison University	5,700,000
Longwood University	1,500,000
University of Mary Washington	3,300,000
Norfolk State University	2,000,000
Radford University	4,900,000
University of Virginia	3,000,000
University of Virginia's College at Wise	1,000,000
Virginia Commonwealth University	10,000,000
Virginia Military Institute	1,000,000
Virginia Polytechnic Institute & State University	4,000,000
Virginia State University	1,700,000
Richard Bland College	1,000,000
Virginia Community College System	15,000,000
Total	\$60,000,000

B. Institutions may use these funds to support operations, enhance financial aid, or for other purposes to address the impact of the COVID-19 pandemic."

Explanation:

(This amendment provides general funds to support public colleges and universities to maintain affordable access to the institutions.)

	Item 274 #1c	
Finance	FY20-21	FY21-22
Department of Accounts Transfer Payments	\$0	(\$89,027,631) GF

Language:

Page 99, line 15, strike "\$89,027,631" and insert "\$0".
Page 99, strike lines 34 through 39.

Explanation:

(This amendment eliminates \$89.0 million from the general fund included in the introduced budget in fiscal year 2022 for the estimated required fiscal year 2024 deposit into the Rainy Day Fund. The deposit, which will be calculated based on fiscal year 2022 actual revenues, is not made until fiscal year 2024. The \$89.0 million funding is being redirected to a companion amendment which deposits \$89.0 million into the Revenue Reserve Fund in fiscal year 2021 to increase the Commonwealth's cash balances and ensure greater financial flexibility. Language included in Item 275 allows for the transfer of amounts from the Revenue Reserve Fund to the RDF if required to meet any Constitutionally-mandated deposit.)

	Item 275 #1c	
Finance	FY20-21	FY21-22
Department of Accounts Transfer Payments	\$89,027,631	\$0 GF

Language:

Page 99, line 40, strike "\$0" and insert "\$89,027,631".
Page 99, after line 40, insert:
"Notwithstanding any contrary provision of law, there is hereby appropriated in this item \$89,027,631 from the general fund the first year and \$300,000,000 from the general fund the second year to the Revenue Reserve established pursuant to § 2.2-1831.2, Code of Virginia, to mitigate any potential revenue or transfer shortfalls that may arise during the biennium. Notwithstanding any contrary provision of law, these amounts may be transferred to the Revenue Stabilization Fund to meet any Constitutionally-mandated deposit required based on revenue growth in either year of the fiscal year 2020-2022 biennium."

Explanation:

(This amendment provides a \$89.0 million deposit in the Revenue Reserve Fund in fiscal year 2021 to increase the Commonwealth's cash balances to provide increased financial flexibility to safeguard against any additional revenue decreases.)

Item 292 #1c

Health and Human Resources

Children's Services Act

Language

Language:

Page 108, line 5, strike "Not set out."

Page 108, after line 5, insert:

"N. Any community policy management team receiving and disbursing funds under the Children's Services Act to pay for a student's placement in a private school, pursuant to an individualized education plan, serving students with disabilities, shall continue to pay a daily or monthly rate for the 2020-21 school year, but may adjust the rate to account for virtual or distance learning provided by a private school to a rate that is commensurate with the level of service being provided, as long as the student's placement is in a private school serving students with disabilities that is continuing to provide a free and appropriate public education and the private school is providing services to the student, including virtual."

Explanation:

(This amendment adds language requiring continued payment for services of private day schools provided to students with disabilities if such services are still required by the student's individualized education plans and the private school provides remote learning or telehealth services during the 2020-21 school year, however the rates may be adjusted commensurate with the level of services being provided. Item 292 will be set out upon enrolling of the budget bill.)

Item 299 #1c

Health and Human Resources

Department of Health

Language

Language:

Page 109, after line 3, insert:

"I. The Department of Health shall convene a work group, which shall include the Commonwealth's Chief Diversity, Equity, and Inclusion Officer and representatives of the Office of Health Equity of the Department of Health, the Department of Emergency Management, and such other stakeholders as the department shall deem appropriate and which may be an existing work group or other entity previously convened for a related purpose, to (i) evaluate the methods by which vaccines and other medications necessary to treat or prevent the

spread of COVID-19 are made available to the public, (ii) identify and develop a plan to implement specific actions necessary to ensure such vaccines and other medications are equitably distributed in the Commonwealth to ensure all residents of the Commonwealth are able to access such vaccines and other medications, and (iii) make recommendations for any statutory, regulatory, or budgetary actions necessary to implement such plan. The Department shall make an initial report on its activities and any findings to the Chairs of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2020, and shall report monthly thereafter."

Explanation:

(This amendment directs the Virginia Department of Health to convene a work group to examine and develop a plan to ensure that vaccines and other medications to treat or prevent the spread of COVID-19 are equitably distributed in the Commonwealth. It is the intent of the General Assembly that this item be set out upon enrolling.)

Item 299 #2c

Health and Human Resources

Department of Health

Language

Language:

Page 109, after line 3, insert:

"I. The Virginia Department of Health shall review and update their data collection and reporting protocols for COVID-19 or other infectious disease data to report actual deaths not an extrapolated projection of deaths."

Explanation:

(This amendment adds language directing the Virginia Department of Health (VDH) to report actual deaths in their COVID-19 or other infectious disease data collection and reporting protocols. This will ensure that when VDH provides the public with reporting on any infectious diseases (i.e. flu, COVID-19, etc.) that it is reported in a manner that can be easily understood by citizens who do not have a degree in statistical modeling or a doctorate in epidemiology. If VDH is already reporting using a statistical model from a federal center, such as the Centers for Disease Control and Prevention, that reporting may continue, but VDH must also report, in clear unambiguous terms, the actual deaths directly related to each disease. It is the intent that VDH share their data and methodology, such that any citizen, with a basic understanding of high school Algebra, should be able to replicate the results. It is the intent of the General Assembly that this item be set out upon enrolling.)

Item 299 #3c

Health and Human Resources

Department of Health

Language

Language:

Page 109, after line 3, insert:

"I. The State Health Commissioner shall ensure that residents and employees of any nursing home or assisted living facility receive priority for testing indicating the existence of the COVID-19 virus in the Commonwealth. The Commissioner shall make available public health testing, if necessary, in order to ensure that nursing homes or assisted living facilities have access to testing that can provide the most rapid results in order to prevent or contain outbreaks of COVID-19. Such testing shall be provided, as needed, by the Division of Consolidated Laboratory Services or other public health testing agencies of the Commonwealth. Any testing costs through the public health system for employees or residents of nursing homes or assisted living facilities may be billed to responsible third-parties."

Explanation:

(This amendment provides for residents and employees of nursing facilities or assisted living facilities to have priority in testing for COVID-19 to help prevent or contain outbreaks in such long-term care facilities, where the most vulnerable and fatal impacts from COVID-19 have occurred to date. It is the intent of the General Assembly that this item be set out upon enrolling.)

Item 300 #1c

Health and Human Resources

Department of Health

Language

Language:

Page 109, after line 4, insert:

"F. In any case in which the Governor has declared a public health emergency related to the novel coronavirus (COVID-19), every medical care facility licensed by the Virginia Department of Health, except nursing facilities, shall allow a person with a disability who requires assistance as a result of such disability to be accompanied by a designated support person at any time during which health care services are provided. In any case in which health care services are provided in an inpatient setting, and the duration of health care services in such inpatient setting is anticipated to last more than 24 hours, the person with a disability may designate more than one designated support person. However, no such facility shall be required to allow more than one designated support person to be present with a person with a disability at any time. A designated support person shall not be subject to any restrictions on visitation adopted by such medical care facility. However, such designated support person may be required to comply with all reasonable requirements of the medical care facility adopted to protect the health and safety

of patients and staff of the medical care facility. Every such medical care facility shall establish policies applicable to designated support persons and shall (i) make such policies available to the public on a website maintained by the medical care facility and (ii) provide such policies, in writing, to the patient at such time as health care services are provided. A "designated support person" means a person who is knowledgeable about the needs of a person with a disability and who is designated, orally or in writing, by the individual with a disability, the individual's guardian or the individual's care provider, to provide support and assistance, including physical assistance, emotional support, assistance with communication or decision-making, or any other assistance necessary as a result of the person's disability, to the person with a disability at any time during which health care services are provided."

Explanation:

(This amendment adds language requiring medical facilities licensed by the Virginia Department of Health, with the exception of nursing facilities, to allow patients with disabilities to be accompanied by a designated support person at the time services are provided and to allow for visits by such person(s). Assisted living facilities would not be subject to the requirements since they are licensed by the Department of Social Services. It is the intent of the General Assembly that this item be set out upon enrolling.)

Item 309 #1c

Health and Human Resources

Department of Health Professions

Language

Language:

Page 110, after line 27, insert:

"B. Nurse practitioners licensed in the Commonwealth of Virginia, except those licensed in the category of Certified Registered Nurse Anesthetists, with two or more years of clinical experience may continue to practice in the practice category in which they are certified and licensed and prescribe without a written or electronic practice agreement until the termination of a declared state of emergency due to the COVID-19 pandemic."

Explanation:

(This amendment adds language extending the ability for certain nurse practitioners to practice without a written or electronic practice agreement until the termination of the declared public emergency due to the COVID-19 pandemic. Nurse Practitioners already have this authority under Executive Order #57 but it expired on September 8, 2020. It is the intent of the General Assembly that this item be set out upon enrolling.)

Item 312 #1c

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	(\$3,111,848)	(\$4,210,186)	GF
Services	(\$7,276,560)	(\$7,818,918)	NGF

Language:

Page 110, line 33, strike "\$251,771,102" and insert "\$241,382,694".

Page 110, line 32, strike "\$270,236,306" and insert "\$258,207,202".

Explanation:

(This amendment captures savings in the Family Access to Medical Insurance Security (FAMIS) program from lower managed care rates that took effect on July 1, 2020. Rates for the Medallion 4.0 program decreased 5.49 percent for base Medicaid and 5.72 percent for expansion Medicaid.)

Item 313 #1c

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	(\$1,280,000)	(\$4,460,000)	GF
Services	\$1,280,000	\$4,460,000	NGF

Language:

Page 112, line 32, strike "\$472,802,840" and insert "\$474,082,840".

Page 112, line 33, strike "\$486,936,557" and insert "\$491,396,557".

Explanation:

(This amendment reduces the general fund appropriation for Medicaid by \$1.3 million the first year and \$4.55 million the second year and increases a like amount of nongeneral funds each year, reflecting increased revenues to the Virginia Health Care Fund (VHCF). Because revenues to the fund have historically been used as the state share of Medicaid, additional revenue results in an equal amount of general fund savings. The Governor included language in the introduced budget, which authorizes the taxation of heated tobacco products and extends the "Wayfair" tax to other tobacco products, but did not appropriate the revenue these actions will generate. This additional revenue, which is deposited into the Virginia Health Care Fund, allows for a reduction in general fund appropriations for the state's share of Medicaid funding.)

Item 313 #2c

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	\$11,152,785	\$0	GF
Services	\$11,152,785	\$0	NGF

Language:

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,381,106,346".

Page 145, line 14, strike "for the period of the" and insert:
"until June 30, 2021".

Page 145, line 15, strike:
"Governor's Declaration of a State of Emergency due to COVID-19".

Page 145, line 17, strike:
"for the period of the Governor's emergency declaration".

Page 145, line 18, strike:
"and reflect the duration of" and insert "."

Page 145, strike lines 19 through 22.

Explanation:

(This amendment adds \$11.2 million from the general fund and \$11.2 million in matching federal Medicaid funds to extend the \$20 per day add-on to Medicaid nursing and specialized care facility rates to June 30, 2021, to provide stability to the nursing home industry during the COVID-19 crisis. The funding includes the estimated cost of the \$20 a day for the last quarter of fiscal year 2021 and assumes the prior costs are included in the 2020 Official Medicaid Forecast and can be offset by the federal extension of the enhanced match rate for Medicaid through March 31, 2021.)

Item 313 #3c

Health and Human Resources

FY20-21

FY21-22

Department of Medical Assistance	(\$56,496,695)	(\$69,590,882)	GF
Services	(\$56,496,695)	(\$69,590,882)	NGF

Language:

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,245,807,386".

Page 111, line 27, strike "\$17,137,554,276" and insert "\$16,998,372,512".

Explanation:

(This amendment captures savings in the Medicaid program from lower managed care rates that took effect on July 1, 2020. Rates for the Medallion 4.0 program decreased 5.49 percent for base Medicaid and 5.72 percent for expansion Medicaid. For the Commonwealth Coordinated Plus program the rates declined 0.12 percent for base Medicaid and 0.39 percent for expansion Medicaid.)

Item 313 #4c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 133, line 45, strike "Nothing" and insert:

"Notwithstanding Item 482.20 of this act, nothing".

Page 134, after line 6, insert:

"5. The Department of Planning and Budget shall transfer from Item 317 to this item an appropriation necessary to cover the administrative costs for managed care organizations to implement the live-in caretaker exemption required pursuant to paragraph HHH.1. in this item."

Explanation:

(This amendment clarifies that the live-in caretaker exemption to the electronic visit verification requirements shall take effect January 1, 2021 and directs the Department of Planning and Budget to transfer appropriation from the Department of Medical Assistance Services (DMAS) administrative budget the funds necessary to adjust the administrative portion of the managed care capitation rates to reflect the increase in administrative costs for providing a live-in caretaker exemption to the electronic visit verification requirement. DMAS' administrative budget has sufficient funding to cover these costs.)

Item 313 #5c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services (DMAS) shall modify the disbursement methodology for the State's allocation of federal CARES Act funding to nursing facilities and assisted living facilities to define eligible costs for reimbursement from this funding as COVID-related costs incurred since March 12, 2020, or as far back as the CARES Act allows."

Explanation:

(This amendment directs the Department of Medical Assistance Services to modify the disbursement rules for the \$20 million in state-allocated CARES Act funding for assisted living facilities and approximately \$33 million in state-allocated CARES Act funding for nursing facilities to remove an impediment to providers' access to these funds. The current limit on only using incurred costs from July 1, 2020 forward leaves substantial unreimbursed COVID-costs from the inception of the crisis for both assisted living and nursing facilities being excluded from reimbursement.)

Item 313 #6c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 144, line 26, after "IIII." insert "1."

Page 144, line 26, strike "January" and insert "July".

Page 144, after line 45, insert:

"2. The Department of Planning and Budget shall have the authority to transfer appropriation from Item 317 to Item 316 in this act, as needed, to fund the administrative costs of implementing the new Medicaid dental benefit for adults if the existing appropriation in Item 316 is insufficient."

Explanation:

(This amendment changes the effective date of the new Medicaid adult dental benefit from January 1, 2021 to July 1, 2021, to reflect the restoration of funding, which is included in a separate amendment in Item 482.20. In addition, budget language is added to provided authority to move funding from the administrative program of the agency to cover the increased costs of the dental benefits administrator related to the new dental benefit.)

Item 313 #7c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 141, line 55, strike "July 1, 2020" and insert "January 1, 2021".

Page 142, line 2, after "half up to" insert:

"eight hours and effective July 1, 2021, up to".

Explanation:

(This amendment changes the effective date for the allowance of overtime by consumer-directed personal care attendants from July 1, 2020 to January 1, 2021 to reflect the restoration of funding for this policy change in a separate amendment to Item 482.20. The funding restored in Item 482.20 funds up to eight hours of overtime per week from January 1, 2021 to June 30, 2021. Effective July 1, 2021, up to 16 hours of overtime per week is funded for personal care attendants.)

Item 313 #8c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 137, line 2, strike "July 1, 2020" and insert:
"upon federal approval but no earlier than April 1, 2021".

Explanation:

(This amendment changes the effective date from July 1, 2020 to April 1, 2021 or later depending on federal approval, for the elimination of the 40 quarter work requirement for lawful permanent residents to qualify for Medicaid. This reflects the restoration of funding for this policy change, which is contained in a separate amendment to Item 482.20.)

Item 313 #9c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 138, strike lines 20 through 23 and insert:
"DDDD.1. Effective January 1, 2021, the Department of Medical Assistance Services (DMAS), in consultation with the Department of Behavioral Health and Developmental Services (DBHDS), shall increase provider payment rates for services delivered through the Community Living, Family and Individual Support, and Building Independence Developmental Disability (DD) waivers. The rate increase shall be provided for the following services: Group Home, Sponsored Residential and Group Day Support.

2. Effective July 1, 2021, the Department of Medical Assistance Services (DMAS), in consultation with the Department of Behavioral Health and Developmental Services, shall increase provider payment rates for services delivered through the Community Living, Family and Individual Support, and Building Independence Developmental Disability (DD) waivers. The rate increase shall be provided for the following services: Independent Living Supports, Supported Living, In-home Support Services, Group Supported Employment, Workplace Assistance, Community Engagement, Community Coaching and Therapeutic Consultation."

Page 138, line 24, strike "2" and insert "3".

Page 138, line 31 strike "September" and insert "December".

Page 138, line 32, strike "3" and insert "4".

Explanation:

(This amendment changes the effective date for the increase in Medicaid developmental

disability provider rates for group homes, sponsored residential and group day support from July 1, 2020 to January 1, 2021 to reflect the partial restoration of funding in the first year, which is included in a separate amendment to Item 482.20. It further changes the effective day for the increase in Medicaid developmental disability provider rates for other community integration services from July 1, 2020 to July 1, 2021, which is also included in a separate amendment to Item 482.20.)

Item 313 #10c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 139, line 55, strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date from July 1, 2020 to July 1, 2021 for the limitation on Medicaid managed care reimbursement for durable medical equipment to reflect the restoration of funding for this policy change in the second year, which is included in a separate amendment to Item 482.20.)

Item 313 #11c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 141, line 21, strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date for the increase in Medicaid rates for anesthesiologists from July 1, 2020 to July 1, 2021 to reflect the restoration of funding for this rate change, which is included in a separate amendment to Item 482.20.)

Item 313 #12c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 141, line 50, strike "2020" and insert "2021".

Explanation:

(This amendment changes the effective date for the rate increase for skilled and private duty nursing services in Medicaid from July 1, 2020 to July 1, 2021 to reflect the partial restoration of funding included in a separate amendment in Item 482.20.)

Item 313 #13c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 132, strike lines 24 through 27, and insert:

"9. The Department of Planning and Budget shall create a new Service Area in this item for Program 45600, appropriately named, and transfer the appropriation included in this item for graduate medical education residency slots to this new service area. The appropriation in the new service area shall be excluded from the Official Medicaid Forecast."

Explanation:

(This amendment creates a new service area to account for the funding provided to hospitals to support graduate medical residency slots. It also directs the Department of Planning and Budget to transfer \$3.1 million the first year and \$3.9 million the second year to the new service area. Language clarifies that this appropriation in this new service area is not included as part of the Official Medicaid Forecast.)

Item 313 #14c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

"MMMM. The Department of Medical Assistance Services shall submit a request to amend its 1915(c) Home and Community-Based Services (HCBS) waivers with an Emergency Preparedness and Response Appendix K to the Centers for Medicare and Medicaid Services to allow telehealth and virtual and/or distance learning for Group Day, Supported Employment and Benefits Planning services for the duration of the Governor's declared state of emergency due to the COVID-19 pandemic or until the Appendix K expires. The department shall have the authority to implement this change prior to the completion of the regulatory process."

Explanation:

(This amendment directs the Department of Medical Assistance Services to request a waiver to the Centers for Medicare and Medicaid Services to allow telehealth and virtual and/or distance learning for Group Day, Supported Employment and Benefits Planning Services for the duration of the Governor's declared state of emergency due to the COVID-19 pandemic. The Appendix K will allow recipients to maintain skills, and to learn new skills including expanded socialization opportunities during the COVID-19 pandemic. Many Group Day programs closed in March 2020 and Supported Employment and Benefits Planning services are being minimally provided because of health and safety concerns.)

Item 313 #15c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services shall allow Medicaid agency-directed personal care and respite services to conduct telephonic supervisory visits by a licensed nurse (either a registered nurse or a licensed practical nurse (LPN)). A registered nurse must conduct the supervisory visit at least every 90 calendar days with the LPN making any other supervisory visits during that time. The department's forms shall be used to document the interaction during these phone calls and shall meet the standards already established by the department to include verbal consent, authorization, and confirmation of participation. This flexibility shall remain in place only for the duration of the Governor's declared state of emergency due to the COVID-19 pandemic."

Explanation:

(This amendment directs the Department of Medical Assistance Services to allow Medicaid agency-directed personal care and respite services to conduct telephonic supervisory visits by a licensed nurse, for the duration of the COVID-19 state of emergency, and that the department's forms be used to document the interaction during these phone calls and to meet the standards already established by the department to include verbal consent, authorization, and confirmation of participation.)

Item 315 #1c

Health and Human Resources

FY20-21

FY21-22

Department of Medical Assistance Services

(\$2,322,022)
(\$5,429,678)

(\$3,252,087) GF
(\$6,039,591) NGF

Language:

Page 145, line 30, strike "\$221,663,925" and insert "\$213,912,225".

Page 145, line 29, strike "\$237,496,600" and insert "\$228,204,922".

Explanation:

(This amendment captures savings in the Medicaid Children's Health Insurance Program from lower managed care rates that took effect on July 1, 2020. Rates for the Medallion 4.0 program decreased 5.49 percent for base Medicaid and 5.72 percent for expansion Medicaid.)

Item 320 #1c

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 147, after line 23, insert:

"HH. Out of this appropriation, \$940,000 the first year and \$940,000 the second year from the general fund shall be provided to Commonwealth Autism Services to assist in coordination of services for people with developmental disabilities in regards to autism assessments and services in Virginia."

Explanation:

(This amendment sets out in language the long-standing passthrough grant that the Department of Behavioral Health and Developmental Services has been providing to Commonwealth Autism Services since fiscal year 2010. This technical language change ensures the department complies with state procurement rules. Item 320, to which this amendment adds a paragraph, will be set out upon enrolling.)

Item 320 #2c

Health and Human Resources

FY20-21

FY21-22

Department of Behavioral Health and
Developmental Services

\$61,203
1.00

\$122,405 GF
1.00 FTE

Language:

Page 147, line 23, strike "\$123,177,138" and insert "\$123,238,341".

Page 147, line 23, strike "\$110,597,199" and insert "\$110,719,604".

Explanation:

(This amendment provides \$61,203 the first year and \$122,405 the second year from the general

fund to the Department of Behavioral Health and Developmental Services for one staff to oversee implementation of a mental health awareness response system pursuant to House Bill 5043 and Senate Bill 5038 of the 2020 Special Session I. Item 320 will be set out during the enrolling process.)

Item 322 #1c

Health and Human Resources

Grants to Localities

Language

Language:

Page 148, after line 17, insert:

"NN. Notwithstanding the provisions of Chapters 607 and 683, 2017 Acts of Assembly, no Community Services Board or Behavioral Health Authority shall be required to provide any service pursuant to the System Transformation, Excellence and Performance in Virginia (STEP-VA) process, beyond those services funded in Chapter 854, 2019 Acts of Assembly. Any new service requirements shall be subject to appropriation and allotment of funds for that purpose."

Explanation:

(This amendment restores language that was inadvertently stricken in the introduced budget which eliminates the requirement that Community Services Boards or Behavioral Health Authority provide STEP-VA services beyond those that are funded in Chapter 854, 2019 Acts of Assembly, unless an appropriation is available and an allotment of funds is made. The budget passed in March provided additional funding outpatient services, peer support services, expanded crisis services and military and veteran’s mental health services through STEP-VA, and when funding was unallotted in April due to the pandemic language was added eliminating the requirement to proceed with implementation of these services. The introduced budget eliminates funding for these additional services through STEP-VA. While companion amendments restore funding for STEP-VA in Item 482.20, this language is included in case of unforeseen future revenue and spending adjustments. It is the intent of the General Assembly that this item be set out upon enrolling.)

Item 322 #2c

Health and Human Resources

FY20-21

FY21-22

Grants to Localities

\$0

\$3,000,000 GF

Language:

Page 148, line 17, strike "\$562,590,641" and insert "\$565,590,641".

Page 148, after line 17, insert:

"NN. Out of this appropriation, \$3,000,000 the second year from the general fund shall be

provided to establish one mental health awareness response and community understanding services alert system programs and community care teams in each of the Department of Behavioral Health and Developmental Services' regions pursuant to legislation adopted in the 2020 Special Session I of the General Assembly. Each region shall receive \$600,000 for this purpose."

Explanation:

(This amendment provides \$3.0 million general fund the second year to fund grants to establish a mental health awareness response and community understanding services alert system programs and community care teams in each of the Department of Behavioral Health and Developmental Services' five regions pursuant to House Bill 5043 and Senate Bill 5038. Item 322 will be set out upon enrolling of the budget bill.)

Item 350 #1c

Health and Human Resources

Department of Social Services

Language

Language:

Page 156, strike lines 23 through 27, and insert:

"T. Out of this appropriation, \$16,600,000 from the general fund and \$16,600,000 from federal Coronavirus Relief Funds the first year shall be used to contract with local partners to provide support to school divisions, local governments, and other entities, including religious institutions and community centers, for the provision of space to increase local capacity to provide care for school-age children, purchase personal protective equipment (PPE) and cleaning supplies, and provide a stable financial environment for the operation of these programs. School divisions, local governments, and local departments of social services shall cooperate with local partners receiving these funds to maximize the number of school-age children served. In addition, local partners are encouraged to use these funds to support a diverse set of providers with these funds including existing child day centers, family day homes, religious institutions, and other organizations seeking to provide such services. Within this appropriation, the federal Coronavirus Relief funds shall be expended prior to the expenditure of general fund amounts for this purpose."

Explanation:

(This amendment modifies language in the introduced budget to add \$16.6 million in federal Coronavirus Relief funds to support short-term child care efforts. The introduced budget provided \$16.6 million from the general fund to expand the potential providers of space for short-term child care. This amendment also includes other entities such as religious institutions and community centers and encourages the development of local partnerships with a diverse set of providers. With the addition of the federal CARES Act amount, a total of \$33.2 million will be available for these efforts. A companion amendment in Central Accounts provides the

nongeneral fund appropriation from the CARES Act.)

Item 356 #1c

Health and Human Resources	FY20-21	FY21-22	
Department of Social Services	\$750,000	\$750,000	NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$61,107,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,957,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$750,000 the first year and \$750,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Cornerstones to provide wrap-around services that solve urgent or on-going requirements for housing, childcare, food or financial assistance that address the needs of families. The contract shall require Cornerstones to report annually on outcomes."

Explanation:

(This amendment provides \$750,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Cornerstones, a human services agency, to support their wrap-around services to families in Northern Virginia.)

Item 356 #2c

Health and Human Resources	FY20-21	FY21-22	
Department of Social Services	\$250,000	\$250,000	NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$60,607,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,457,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Portsmouth Volunteers for the Homeless to provide wrap-around services for homeless individuals."

Explanation:

(This amendment provides \$250,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Portsmouth Volunteers for the Homeless to support wrap-around services for homeless individuals.)

Item 356 #3c

Health and Human Resources	FY20-21	FY21-22
Department of Social Services	\$125,000	\$125,000 NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$60,482,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,332,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Menchville House to provide supportive services for homeless individuals."

Explanation:

(This amendment provides \$125,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Menchville House to provide supportive services for homeless individuals.)

Item 356 #4c

Health and Human Resources	FY20-21	FY21-22
Department of Social Services	\$125,000	\$125,000 NGF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$60,482,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$56,332,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Family Restoration Services of Hampton to provide supportive services to families in need."

Explanation:

(This amendment provides \$125,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Family Restoration Services of Hampton to provide supportive services to families in need.)

Item 356 #5c

Health and Human Resources	FY20-21	FY21-22
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Department of Social Services	\$500,000	\$500,000	NGF
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Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$60,857,967".
 Page 160, line 47, strike "\$56,207,967" and insert "\$56,707,967".
 Page 162, line 1, strike "\$1,000,000" and \$1,000,000" and insert:
 "\$1,500,000" and "\$1,500,000".

Explanation:

(This amendment provides an additional \$500,000 each year from the Temporary Assistance to Needy Families (TANF) block grant for Northern Virginia Family Services to provide supportive services to families in crisis.)

Item 372 #1c

Natural Resources

Secretary of Natural Resources	Language
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Language:

Page 173, strike lines 2 through 9.

Explanation:

(This amendment removes language proposed by the Governor in House Bill 5005 for the Secretary of Natural Resources to study and develop a plan to require landfill operators to pay a solid waste disposal fee. Undertaking such a study does not require General Assembly direction or approval.)

Item 373 #1c

Natural Resources

	FY20-21	FY21-22	
Department of Conservation and Recreation	\$0	(\$3,825,400)	GF

Language:

Page 173, line 17, strike "\$99,567,156" and insert "\$95,741,756".
 Page 176, line 51, strike "\$34,175,400" and insert "\$30,350,000".

Explanation:

(This amendment reflects changes to the amount calculated for a mandatory deposit to the Water Quality Improvement Fund resulting from a correction in the Commonwealth's final balance sheet for fiscal year 2020. A companion amendment to Item 0 corrects the general fund

resources and amendment totals resulting from the balance sheet correction.)

Item 374 #1c

Natural Resources

Department of Conservation and Recreation

Language

Language:

Page 177, line 4, strike "Not set out." and insert:
Amendment drawn to Chapter 1289

"Leisure and Recreation Services (50400)	\$74,050,589	\$73,177,420
Preservation of Open Space Lands (50401)	\$16,650,193	\$16,650,193
Design and Construction of Outdoor Recreational Facilities (50403)	\$894,593	\$894,593
State Park Management and Operations (50404)	\$50,006,739	\$49,873,570
Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)	\$6,499,064	\$5,759,064
Fund Sources:		
General	\$37,572,732	\$36,699,563
Special	\$27,511,003	\$27,511,003
Dedicated Special Revenue	\$3,717,124	\$3,717,124
Federal Trust	\$5,249,730	\$5,249,730

Authority: Title 10.1, Chapters 1, 2, 3, 4, 4.1, and 17; Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5, and 7, Code of Virginia.

A.1. Included in the amounts for Preservation of Open Space Lands is \$10,000,000 the first year and \$10,000,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund, § 10.1-1020, Code of Virginia. No less than 50 percent of the appropriations remaining after the transfer to the Virginia Outdoors Foundation's Open-Space Lands Preservation Trust fund has been satisfied are to be used for grants for fee simple acquisitions with public access or acquisitions of easements with public access. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.

2. Included in the amounts for Preservation of Open Space Lands is \$1,500,000 the first year and \$1,500,000 the second year from nongeneral funds to be deposited into the Virginia Land Conservation Fund to be distributed by the Virginia Land Conservation Foundation pursuant to the provisions of § 58.1-513, Code of Virginia.

3. The Department of Conservation and Recreation and the Virginia Outdoors Foundation shall review the Hayfields Farm property, consisting of approximately 1,034.7 acres more or less in Highlands County, Virginia, Tax Parcel #68A17 and #68A18A, located at 524 Hayfields Lane

in McDowell, and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020 on its suitability as a recreational area pursuant to §10.1-200 et. seq., Code of Virginia, for development as a state or regional park. In its review, the agencies shall consider (i) management of the area or park by a combination of public and private entities; (ii) potential user activities at the area or park including but not limited to camping, fishing, hiking, bird watching, equestrian activities, and biking; and (iii) operation of the area or park with only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of the property's conservation values and natural resources.

B. Included in the amounts for Preservation of Open-Space Lands is \$1,752,750 the first year and \$1,752,750 the second year from the general fund and \$1,900,000 the first year and \$1,900,000 the second year from nongeneral funds for the operating expenses of the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia).

C.1. Out of the amounts appropriated for State Parks Management and Operations, up to \$275,000 the first year and \$275,000 the second year from the general fund shall be paid for the operation and maintenance of Breaks Interstate Park.

2. The Breaks Interstate Park Commission shall submit an annual audit of a fiscal and compliance nature of its accounts and transactions to the Auditor of Public Accounts, the Director, Department of Conservation and Recreation, and the Director, Department of Planning and Budget.

3. The Breaks Interstate Park Commission shall, following the modernization of the Breaks Interstate Park electrical system, enter into negotiations to transfer control of the electrical system serving the park to a local regional electric utility.

D. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the State Park Conservation Resources Fund may be used for a program of in-state travel advertising. Such travel advertising shall feature Virginia State Parks and the localities or regions in which the parks are located. To the extent possible the department shall enter into cooperative advertising agreements with the Virginia Tourism Authority and local entities to maximize the effectiveness of expenditures for advertising. The department is further authorized to enter into a cooperative advertising agreement with the Virginia Association of Broadcasters.

E. Upon completion of the construction of the Daniel Boone Wilderness Trail Interpretative Center, the Division of State Parks may accept transfer of the facility, 153 acres of land, and \$450,000 for maintenance of the completed facility for operation as a satellite facility to Natural Tunnel State Park. It is the intent of the General Assembly that at such time as the facility, property, and cash are transferred to the Division of State Parks that positions and ongoing funding for the operation of the satellite facility shall be provided.

F. The department is hereby authorized to enter into an agreement with the non-profit organization that currently owns Natural Bridge to open and operate the facility as a Virginia State Park. Included in the amount for this item is \$376,364 the first year and \$376,364 and five

positions from the general fund to increase the operational capacity of Natural Bridge State Park including additional visitor experience, retail, and maintenance functions.

G. Notwithstanding any other provision of the Code of Virginia, as a condition of the expenditure of all amounts included in this item, the department shall not initiate or accept by gift, transfer or purchase with nongeneral funds any new lands for use as a State Park or Natural Area Preserve without a specific appropriation for such purpose by the General Assembly. However, the department is authorized to acquire land as expressly set out in Items C-27 and C-27.10 of Chapter 854, 2019 Acts of Assembly, as well as in-holdings or lands contiguous to an existing State Park or Natural Area Preserve as expressly set out in Items C-40 and C-41 of this act and as provided for in Section 4-2.01 a.1. of this act provided further that acquisitions authorized in Items C-40 and C-41 will not cause the department to incur additional operating expenses. It is not the intent of these provisions to prohibit any acquisitions resulting from mitigation settlements or to prohibit any additional operating expenses resulting from such acquisitions.

H.1. Included in the amounts for State Park Management and Operations is \$590,944 the first year and \$590,944 the second year and six positions from the general fund for the initial start-up and ongoing operational costs for Phase I of Widewater State Park in Stafford County. It is the intent of the General Assembly that, as soon as practicable upon completion of Phase 1A, that the Department shall provide public access and proceed to regular revenue generating operations at the Park.

2. The Department of Conservation and Recreation shall collaborate with Stafford County Public Schools, the Friends of Widewater State Park and other interested stakeholders regarding the Science and Environmental Center at Widewater State Park planned to be constructed as part of Phase III in order to ensure the facility is adequate to meet the needs of the community, curriculum collaboration opportunities with local schools, and other needs; determine whether any design changes would further community environmental education goals; determine the availability of any grant, charitable or co-funding opportunities with Stafford County and/or Virginia higher educational institutions; determine the feasibility and costs of any design changes or the necessity of any Master Plan changes; and produce recommendations, if any, relating to such objectives.

I. Included in the amount for this item is \$198,752 the first year and \$198,752 the second year and two positions from the general fund to support the limited operation of Seven Bends State Park.

J. Included in the amount for this item is \$150,000 the first year and \$150,000 the second year from the nongeneral fund amounts appropriated in Item 451 A. for recreational access which shall be used to fabricate and install Supplemental Guide Signs for Virginia State Parks.

K. The department is hereby authorized to enter into an agreement with the United States Forest Service that owns the Longdale Day Use Area to operate the facility as the Green Pastures Unit of Douthat State Park, an extension of Douthat State Park.

L. The Department of Conservation and Recreation shall review the Brandy Station and Cedar Mountain properties and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020 on their suitability as a historical and recreational area pursuant to § 10.1-200 et. seq., Code of Virginia, or development as a state or regional park. In its review, the Department shall consider (i) management of the area or park by a combination of public and private entities; (ii) potential user activities at the area or park including heritage tourism, primitive camping, fishing, bow hunting, boating, equestrian activities, biking and historical and military education; and (iii) operation of the area or park with only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of existing historic, cultural, archaeological, and natural resources.

M. Included in the amounts for this item is \$160,800 the first year and \$160,800 the second year and two positions from the general fund to support staffing and operations at Mason Neck State Park.

N. The Director, Department of Conservation and Recreation, shall assess the feasibility of costs of (i) connecting Mason Neck State Park to a public water supply, and (ii) replacing equipment and providing necessary upgrades to the Park's current well water system. The Director shall report the findings and recommendations of the assessment to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15, 2020.

O. Included in the amount for this item, \$740,000 the first year from the general fund is provided to the City of Danville to develop Riverfront Park. This amount shall be matched by a local appropriation of at least \$740,000 prior to any disbursement from this item.

P. The Department of Conservation and Recreation shall, no later than November 1, 2021, provide to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations an assessment of the feasibility for development of a linear park along the Shenandoah Valley rail corridor from Front Royal to Broadway, Virginia. The assessment shall include the potential timeline for abandonment of existing Norfolk Southern rail sections B51.0 to B84.0 and CW84.0 to CW99.5, anticipated annual user revenues, and all start-up and ongoing costs of operation as a satellite facility of Seven Bends and Shenandoah State Parks. The Departments of Transportation and Rail and Public Transportation shall provide any technical assistance as may be required in developing the cost assessment."

Explanation:

(This amendment directs the Department of Conservation and Recreation to assess the feasibility of the establishment of a linear park near Seven Bends State Park.)

Natural Resources

Department of Environmental Quality

Language

Language:

Page 179, after line 48, insert:

"L. The Department shall convene a workgroup of affected stakeholders, including representatives from the regulated industry, local governments and members of the public, to produce recommendations for the Governor and General Assembly to improve the long-term sustainability of the Virginia Stormwater Management Fund established by § 62.1-44.15:29 and Department oversight of nutrient credit use in the Commonwealth. Such recommendations shall be provided to the Governor and General Assembly by November 1, 2020.

2. The provisions of 9VAC25-900, Virginia Administrative Code, shall be considered to have satisfied the conditions of § 62.1-44.15:35, Code of Virginia, for the establishment of an application fee schedule in accordance with § 62.1-44.19:20, Code of Virginia."

Page 179, strike lines 49 through 57.

Page 180, strike lines 1 through 3.

Explanation:

(This amendment modifies language proposed by the Governor in House Bill 5005 to establish a workgroup to review the long-term sustainability of the water quality enhancement fee; and to provide recommendations to the Governor and General Assembly by November 1, 2020.)

 Item 378 #1c
Natural Resources

Department of Environmental Quality

Language

Language:

Page 180, set out Item 378.

Item 378, Paragraph B.2., after "2017." insert:

"Notwithstanding the foregoing, such regulations shall not prohibit the use of hydrofluorocarbons in the manufacturing process by extruded polystyrene boardstock and billet manufacturers located in Virginia to produce products for sale and distribution outside of the Commonwealth, until the Board has solicited input from such manufacturers in order to determine and set by regulation a feasible date by which such manufacturers must be required to comply. In developing regulations, the Board shall solicit input from a workgroup of relevant stakeholders assembled by the Department."

Explanation:

(This amendment provides exemptions to certain manufacturers from State Air Pollution

Control Board regulations adopted pursuant to language included in Chapter 1289.)

Item 383 #1c

Natural Resources

Department of Game and Inland Fisheries

Language

Language:

Page 180, line 37, strike "Not set out." and insert:

"Administrative and Support Services (59900)	\$10,332,931	\$10,332,931
General Management and Direction (59901)	\$6,983,303	\$6,983,303
Information Technology Services (59902)	\$3,349,628	\$3,349,628
Fund Sources:		
Dedicated Special Revenue	\$8,829,996	\$8,829,996
Federal Trust	\$1,502,935	\$1,502,935

Authority: Title 29.1, Chapter 1, Code of Virginia.

A. The department shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the department.

B. The department shall not further consolidate its regional offices, field offices, or close any of these offices in presently-served localities or enter into any lease for any new regional office without notification of the Chairs of the House Committee on Agriculture, Chesapeake, and Natural Resources and the Chairs of the Senate Committee on Agriculture, Conservation, and Natural Resources. The department shall not undertake any future reorganization of any division, reporting structures, regional or field offices, or any function it may perform without notifying the Chairs of the House Committee on Agriculture, Chesapeake, and Natural Resources, the House Committee on Appropriations, the Senate Committee on Agriculture, Conservation, and Natural Resources, and the Senate Committee on Finance and Appropriations.

C. Funds previously appropriated to the Lake Anna Advisory Committee for hydrilla control and removal may be used at the discretion of the Lake Anna Advisory Committee upon issues related to maintaining the health, safety, and welfare of Lake Anna.

D.1. Subject to review and approval by the Secretary of Natural Resources, the Director of the Department of Game and Inland Fisheries may issue to the Department of Transportation an interim permit to relocate the nest and eggs of any state listed threatened bird species from critical areas of the Hampton Roads Bridge Tunnel Expansion Project's South Island associated with the ingress and egress to the island; the delivery, assembly, and immediate operations of the tunnel boring machine; or other project critical locations as mutually agreed to by the

Commissioner of Highways and the Director, which, if not relocated, would effectively require all substantial construction activities to cease.

2. Prior to the issuance of an interim permit as described in Section 1, (i) the Director must determine that the Department of Transportation and its design-build contractor have taken all reasonable steps to prevent birds from nesting on the South Island, in accordance with the Colonial Nesting Bird Management Plan dated March 27, 2020, (ii) the Commissioner of Highways must determine that substantial construction activities will have to cease if the nest and eggs are not relocated, and (iii) the Director shall require as a condition of the interim permit that the nest and any eggs will be relocated under the supervision of the Department of Game and Inland Fisheries to a location acceptable to the Director that is as close as possible to the original nesting location while allowing construction activities to continue.

3. Within 30 days of the adoption by the Board of Game and Inland Fisheries of any regulation governing the take of migratory birds or threatened and endangered species, the Department of Transportation shall apply for a permit covering such take for the Hampton Roads Bridge-Tunnel expansion project.

4. Any agency that exercises the authority granted in paragraph D.1, or that issues any permit that has an adverse impact on fish and wildlife or their habitat, may require compensatory mitigation for such adverse impact as a condition of issuing the permit.

a. For the purposes of this section, "compensatory mitigation" means addressing the direct and indirect adverse impacts to fish and wildlife and their habitats that may be caused by a construction project by avoiding and minimizing impacts to the extent practicable and then compensating for the remaining impacts.

b. Proposed compensatory mitigation agreements between an agency and a permittee shall be subject to the approval of the Secretary of Natural Resources, and may include environmental restoration projects, purchase of mitigation bank credits, or in-lieu payments to existing state funds related to conservation of fish and wildlife and their habitat."

Explanation:

(This amendment removes language adopted by the General Assembly at the 2020 Reconvened Session which provided overly broad authority for agencies within the Natural Resources Secretariat to adopt policies requiring compensatory mitigation agreements outside of the process set out by the administrative process act. This language limits such agreements to the Hampton Roads Bridge Tunnel project.)

Item 391 #1c

Public Safety and Homeland Security

Secretary of Public Safety and Homeland Security

Language

Language:

Page 184, line 2, strike "Not set out." and insert:

"Administrative and Support Services (79900)	\$1,230,902	\$1,230,902
General Management and Direction (79901)	\$1,230,902	\$1,230,902
Fund Sources:		
General	\$1,230,902	\$1,230,902

Authority: Title 2.2, Chapter 2, Article 8, and § 2.2-201, Code of Virginia.

A. The Secretary of Public Safety and Homeland Security shall present revised six-year state and local juvenile and state and local responsibility adult offender population forecasts to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Chairs of the House and Senate Courts of Justice Committees by October 15 of each year. The secretary shall ensure that the revised forecast for state-responsible adult offenders shall include an estimate of the number of probation violators included each year within the overall population forecast who may be appropriate for alternative sanctions.

B. The secretary shall continue to work with other secretaries to (i) develop services intended to improve the re-entry of offenders from prisons and jails to general society and (ii) enhance the coordination of service delivery to those offenders by all state agencies. The secretary shall provide a status report on actions taken to improve offender transitional and reentry services, as provided in § 2.2-221.1, Code of Virginia, including improvements to the preparation and provision for employment, treatment, and housing opportunities for those being released from incarceration. The report shall be provided to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than November 15 of each year.

C. Included in the appropriation for this item is \$500,000 the first year and \$500,000 the second year from the general fund for the Commonwealth's nonfederal cost match requirement to accomplish the United States Corps of Engineers Regional Reconnaissance Flood Control Study for both the Hampton Roads and Northern Neck regions as authorized by the U.S. Congress. Any balances not needed to complete these studies may be used to conduct a comparable study in the Northern Virginia region.

D. The Secretary shall report on the requirements of Item 381 H. of Chapter 854, 2019 Acts of Assembly, by November 15, 2020.

E.1. The Secretary of Public Safety and Homeland Security shall continue the expanded work group established in Item 381 of Chapter 854, 2019 Acts of Assembly. The expanded work group shall examine the workload impact, as well as other fiscal and policy impacts, on the Commonwealth's public safety and judicial agencies as a whole. The Executive Secretary of the Supreme Court shall submit the recommendations of the working group to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 15, 2020. All state agencies and local subdivisions shall provide assistance as requested by the

working group.

2. The expanded workgroup shall include representatives of the Supreme Court, the State Compensation Board, staff of the House Appropriations and Senate Finance and Appropriations Committees, Department of Criminal Justice Services, Commonwealth's Attorneys, local governments, and other stakeholders deemed appropriate by the Secretary.

3. Prior to the preparation of the November 15, 2020 report, each Commonwealth's Attorney's office in a locality that employs body worn cameras, in conjunction with the law enforcement agency using body worn cameras, shall report to the Compensation Board and the workgroup the following information on a quarterly basis, in a format prescribed by the Board:

a. The number of hours of body worn camera video footage received from their law enforcement agencies. The number of hours should additionally be broken down into corresponding categories of felonies, misdemeanors and traffic offenses. Any recorded event that results in charges for two or more of the above categories shall be reported in the most serious category;

b. The number of hours spent in the course of redacting videos; and

c. Any other data determined relevant and necessary by the workgroup for this analysis.

F. The Secretary of Public Safety and Homeland Security shall establish an E-911 Border Response Workgroup. The Workgroup shall assess the deficiencies related to the timely routing of Emergency 911 (E911) calls to the appropriate public-safety answering point (PSAP) across either state or county borders. At a minimum, the workgroup should work with stakeholders to collect information on problems with the current system and processes; review mitigation solutions already implemented by localities and citizen groups; determine best practices; and provide inputs and recommendations to the General Assembly on technology, training, and compensation that would be necessary to address the identified deficiencies. The Secretary shall provide the recommendations of the Workgroup to the Governor and General Assembly no later than April 1, 2021."

Explanation:

(This amendment directs the Secretary of Public Safety and Homeland Security to establish an E-911 Border Response Workgroup to make recommendations to address identified inadequacies in the system and report its recommendations to the Governor and General Assembly no later than April 1, 2021.)

Item 402 #1c

Public Safety and Homeland Security	FY20-21	FY21-22
Department of Corrections	\$150,000	\$0 GF

Language:

Page 184, line 14, strike "\$180,872,172" and insert "\$181,022,172".

Page 184, set out Item 402

Page 184, line 14, strike: "Not set out." and insert:

V. Included in the appropriation for this item is ~~\$950,000~~ *\$1,100,000* the first year from the general fund for the estimated net increase in the operating cost of adult correctional facilities resulting from the enactment of sentencing legislation as listed below. This amount shall be paid into the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4, Code of Virginia.

1. House Bill 2 and Senate Bill 70 -- \$50,000
2. House Bill 4 and Senate Bill 36 -- \$50,000
3. House Bill 123 and Senate Bill 838 -- \$50,000
4. House Bill 253 -- \$50,000
5. House Bill 298 and Senate Bill 724 -- \$50,000
6. House Bill 557 -- \$50,000
7. House Bill 618 -- \$50,000
8. House Bill 623 -- \$50,000
9. House Bill 666 -- \$50,000
10. House Bill 674 and Senate Bill 240 -- \$50,000
11. House Bill 1004 and Senate Bill 479 -- \$50,000
12. House Bill 1211 -- \$50,000
13. House Bill 1414 and Senate Bill 890 -- \$50,000
14. House Bill 1524 -- \$50,000
15. House Bill 1553 -- \$50,000
16. Senate Bill 14 -- \$50,000
17. Senate Bill 42 -- \$50,000
18. Senate Bill 64 -- \$50,000
19. Senate Bill 439 -- \$50,000
20. *House Bill 5045 and Senate Bill 5030 -- \$50,000*
21. *House Bill 5049 -- \$50,000*
22. *House Bill 5098 -- \$50,000".*

Explanation:

(This amendment provides \$150,000 from the general fund in the first year to the Corrections Special Reserve Fund to reflect the estimated impact on utilization of beds in the Commonwealth's adult correctional centers resulting from changes in criminal sentencing pursuant to House Bill 5045 and Senate Bill 5030, House Bill 5049, and House Bill 5098.)

Item 402 #2c

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Corrections	\$1,304,753	\$4,486,555	GF
	12.00	12.00	FTE

Language:

Page 184, line 14, strike "\$180,872,172" and insert "\$182,176,925".

Page 184, line 14, strike "\$185,414,528" and insert "\$189,901,083".

Page 184, line 14, strike: "Not set out." and insert:

X. Included in the appropriation for this item is \$1,304,753 in the first year and \$4,486,555 in the second year and twelve positions from the general fund for the Department to implement the time computation provisions of House Bill 5148 and Senate Bill 5034 of the 2020 Special Session I."

Explanation:

(This amendment provides \$1.3 million from the general fund in fiscal year 2021 and \$4.5 million from the general fund in fiscal year 2022 for the costs of implementing the provisions of House Bill 5148 and Senate Bill 5034, which change the calculation of earned sentence credits. Item 402 will be set out in enrolling of the bill.)

Item 403 #1c

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Criminal Justice	(\$195,795)	\$254,191	GF
Services	2.00	2.00	FTE

Language:

Page 185, line 18, strike "\$6,601,573" and insert "\$6,405,778".

Page 185, line 18, strike "\$5,563,018" and insert "\$5,817,209".

Page 186, line 14 strike "\$208,079" and insert "\$124,848".

Page 186, line 18, strike "94,825" and insert "56,895".

Page 186, line 26, strike "\$1,504,321" and insert "\$1,363,561".

Page 186, line 27, strike "five" and insert "six".

Page 186, line 29, after "academies." insert:

"The funding in the first year under this paragraph includes \$1.0 million for the Department to contract with a third party to develop curriculum and training standards required by the provisions of House Bill 5109 and Senate Bill 5030 of the 2020 Special Session I."

Page 186, after line 29 insert:

"K. Included within the appropriation for this item is \$66,127 in the first year and \$132, 254 in the second year from the general fund and one position to support a data analyst to analyze data from the Community Policing Database."

Explanation:

(This amendment provides for two additional positions related to the legislation to address policing reform that were not included in the introduced budget. The amendment maintains funding for the 8.0 FTE included in the introduced budget related to updating uniform training curriculum, and standards of conduct for law enforcement officers, and adds two additional positions - one to increase the total positions provided for annual evaluations of certified training academies to 6.0 evaluators, and one FTE to provide data analysis related to the Department's responsibilities under the Community Policing Act and Senate Bill 5030.)

Item 403 #2c

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Criminal Justice Services	(\$200,000)	\$0	GF

Language:

Page 185, line 18, strike "\$6,601,573" and insert "\$6,401,573".

Page 186, strike lines 11 through 13.

Explanation:

(This amendment removes funding that was proposed in the introduced budget associated with civilian review panels. According to the fiscal impact statement for Senate Bill 5035, there is no fiscal impact for the Department of Criminal Justice Services associated with authorizing civilian review panels.)

Item 404 #1c

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Criminal Justice Services	\$61,203 1.00	\$122,405 1.00	GF FTE

Language:

Page 186, line 30, strike "\$868,563" and insert "\$929,766".

Page 186, line 30, strike "\$868,563" and insert "\$990,968".

Page 186, line 30, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: Title 9.1, Chapter 1; Title 19.2, Chapter 23.1, Code of Virginia.

A. Included in the amounts appropriated for this item is \$400,000 the first year and \$400,000 the second year from the general fund for the ongoing costs of conducting the School Climate Survey.

B. Included in the appropriation for this item is \$145,000 the first year and \$145,000 the second year from the general fund for the sex trafficking response coordination activities of the Department, pursuant to the provisions of House Bill 2576 and Senate Bill 1669 of the 2019 Session of the General Assembly.

C. Out of this appropriation, \$149,174 the first year and \$149,174 the second year from the general fund is provided to establish the Virginia sexual assault forensic examiner coordination program, pursuant to House Bill 475 and Senate Bill 373 of the 2020 Session of the General Assembly.

D. Included in the appropriation for this item is \$61,203 the first year and \$122,405 the second year and one position from the general fund for the Department to hire a program manager for the Mental Health Awareness Response and Community Understanding Services Alert System."

Explanation:

(This amendment provides funding and a position for the Department to hire a program manager for the Mental Health Awareness Response and Community Understanding Services Alert System, established pursuant to House Bill 5043 and Senate Bill 5038.)

Item 406 #1c

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Criminal Justice	\$6,459,095	\$113,790	GF
Services	1.00	1.00	FTE

Language:

Page 186, line 32, strike "\$147,575,754" and insert "\$154,034,849".

Page 186, line 32, strike "\$148,474,168" and insert "\$148,587,958".

Page 186, line 32, strike "Not set out." and insert:

Amendment drawn to Chapter 1289.

"Authority: Title 9.1, Chapter 1, Code of Virginia.

A.1. This appropriation includes an estimated \$4,800,000 the first year and an estimated \$4,800,000 the second year from federal funds pursuant to the Omnibus Crime Control Act of

1968, as amended. Of these amounts, ten percent is available for administration, and the remainder is available for grants to state agencies and local units of government. The remaining federal funds are to be passed through as grants to localities, with a required 25 percent local match. Also included in this appropriation is \$452,128 the first year and \$452,128 the second year from the general fund for the required matching funds for state agencies.

2. The Department of Criminal Justice Services shall provide a summary report on federal anti-crime and related grants which will require state general funds for matching purposes during fiscal year 2013 and beyond. The report shall include a list of each grant and grantee, the purpose of the grant, and the amount of federal and state funds recommended, organized by topical area and fiscal period. The report shall indicate whether each grant represents a new program or a renewal of an existing grant. Copies of this report shall be provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget by January 1 of each year.

B. The Department of Criminal Justice Services is authorized to make grants and provide technical assistance out of this appropriation to state agencies, local governments, regional, and nonprofit organizations for the establishment and operation of programs for the following purposes and up to the amounts specified:

1.a. Regional training academies for criminal justice training, \$1,001,074 the first year and \$1,001,074 the second year from the general fund and an estimated \$1,649,315 the first year and an estimated \$1,649,315 the second year from the nongeneral fund. The Criminal Justice Services Board shall adopt such rules as may reasonably be required for the distribution of funds and for the establishment, operation and service boundaries of state-supported regional criminal justice training academies.

b. The Board of Criminal Justice Services, consistent with § 9.1-102, Code of Virginia, and § 6VAC-20-20-61 of the Administrative Code, shall not approve or provide funding for the establishment of any new criminal justice training academy from July 1, 2020, through June 30, 2022.

c. Notwithstanding subsection B.1.b. of this item, the Board of Criminal Justice Services may approve a new regional criminal justice academy serving the Counties of Clarke, Frederick, and Warren; the City of Winchester; the Towns of Berryville, Front Royal, Middletown, Stephens City and Strasburg; the Northwestern Adult Detention Center; and, the Frederick County Emergency Communications Center, to be established and operated consistent with a written agreement, provided to the Board, between the local governing bodies, chief executive officers, and chief law enforcement officers of the aforementioned localities, and the Rappahannock Regional Criminal Justice Academy. The new academy shall be eligible to receive state funding in a manner consistent with the currently existing regional criminal justice training academies. However, no current existing regional criminal justice training academy other than the Rappahannock Regional Criminal Justice Academy will receive less funding as a result of the creation of the new regional academy.

2. Virginia Crime Victim-Witness Fund, \$5,692,738 the first year and \$5,692,738 the second

year from dedicated special revenue, and \$943,700 the first year and \$943,700 the second year from the general fund. The Department of Criminal Justice Services shall provide a report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided annually to the Secretary of Public Safety and Homeland Security, the Department of Planning and Budget, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 16 of each year.

3.a. Court Appointed Special Advocate (CASA) programs, \$1,615,000 the first year and \$1,615,000 the second year from the general fund.

b. In the event that the federal government reduces or removes support for the CASA programs, the Governor is authorized to provide offsetting funding for those impacted programs out of the unappropriated balances in this act.

4. Domestic Violence Fund, \$3,000,000 the first year and \$3,000,000 the second year from the dedicated special revenue fund to provide grants to local programs and prosecutors that provide services to victims of domestic violence.

5. Pre- and Post-Incarceration Services (PAPIS), \$3,286,144 the first year and \$3,286,144 the second year from general fund to support pre- and post-incarceration professional services and guidance that increase the opportunity for, and the likelihood of, successful reintegration into the community by adult offenders upon release from prisons and jails.

6. To the Department of Behavioral Health and Developmental Services for the following activities and programs: (i) a partnership program between a local community services board and the district probation and parole office for a jail diversion program; (ii) forensic discharge planners; (iii) advanced training on veterans' issues to local crisis intervention teams; and (iv) cross systems mapping targeting juvenile justice and behavioral health.

7. To the Department of Corrections for the following activities and programs: (i) community residential re-entry programs for female offenders; (ii) establishment of a pilot day reporting center; and (iii) establishment of a pilot program whereby non-violent state offenders would be housed in a local or regional jail, rather than a prison or other state correctional facility, with rehabilitative services provided by the jail.

8. To Drive to Work, \$75,000 the first year and \$75,000 the second year from the general fund and \$75,000 the first year and \$75,000 the second year from such federal funds as may be available to provide assistance to low income and previously incarcerated persons to restore their driving privileges so they can drive to work and keep a job.

9. For model addiction recovery programs administered in local or regional jails, \$153,600 the first year and \$153,600 the second year from the general fund. The Department of Criminal Justice Services, consistent with the provisions of Chapter 758, 2017 Acts of Assembly, shall award grants not to exceed \$38,400 to four pilot programs selected in consultation with the Department of Behavioral Health and Developmental Services.

C.1. Out of this appropriation, \$27,690,378 the first year and \$27,690,378 the second year from the general fund is authorized to make discretionary grants and to provide technical assistance to cities, counties or combinations thereof to develop, implement, operate and evaluate programs, services and facilities established pursuant to the Comprehensive Community Corrections Act for Local-Responsible Offenders (§§ 9.1-173 through 9.1-183 Code of Virginia) and the Pretrial Services Act (§§ 19.2-152.2 through 19.2-152.7, Code of Virginia). Out of these amounts, the Director, Department of Criminal Justice Services, is authorized to expend no more than five percent per year for state administration of these programs.

2. The Department of Criminal Justice Services, in conjunction with the Office of the Executive Secretary of the Supreme Court and the Virginia Criminal Sentencing Commission, shall conduct information and training sessions for judges and other judicial officials on the programs, services and facilities available through the Pretrial Services Act and the Comprehensive Community Corrections Act for Local-Responsible Offenders.

D.1. Out of this appropriation, \$225,000 the first year and \$225,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Central Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

2. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Southwest Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

E. In the event the federal government should make available additional funds pursuant to the Violence Against Women Act, the department shall set aside 33 percent of such funds for competitive grants to programs providing services to domestic violence and sexual assault victims.

F.1. Out of this appropriation, \$4,700,000 the first year and \$4,700,000 the second year from the general fund and \$1,710,000 the first year and \$1,710,000 the second year from such federal funds as are available shall be deposited to the School Resource Officer Incentive Grants Fund established pursuant to § 9.1-110, Code of Virginia.

2.a. The Director, Department of Criminal Justice Services, is authorized to expend \$410,877 the first year and \$410,877 the second year from the School Resource Officer Incentive Grants Fund to operate the Virginia Center for School Safety, pursuant to § 9.1-110, Code of Virginia.

b. The Center for School Safety shall provide a grant of \$100,000 in the first year and \$100,000 in the second year to the York County-Poquoson Sheriff's Office for the statewide administration of the Drug Abuse Resistance Education (DARE) program.

3. Subject to the development of criteria for the distribution of grants from the fund, including procedures for the application process and the determination of the actual amount of any grant issued by the department, the department shall award grants to either local law-enforcement agencies, where such local law-enforcement agencies and local school boards have established a collaborative agreement for the employment of school resource officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school resource officers, or to local school divisions for the employment of school security officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school security officers in any public school. The application process shall provide for the selection of either school resource officers, school security officers, or both by localities. The department shall give priority to localities requesting school resource officers, school security officers, or both where no such personnel are currently in place. Localities shall match these funds based on the composite index of local ability-to-pay.

4. Included in this appropriation is \$202,300 the first year and \$202,300 the second year from the general fund for the implementation of a model critical incident response training program for public school personnel and others providing services to public schools, and the maintenance of a model policy for the establishment of threat assessment teams for each public school, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of public school staff or other students.

5. Included in the amounts appropriated for this item is \$132,254 the first year and \$132,254 the second year from the general fund for the purposes of collection and analysis of data related to school resource officers, pursuant to House Bill 271 of the 2020 Session of the General Assembly.

G. Included in the amounts appropriated in this item is \$2,500,000 the first year and \$2,500,000 the second year from the general fund for grants to local sexual assault crisis centers (SACCs) and domestic violence programs to provide core and comprehensive services to victims of sexual and domestic violence, including ensuring such services are available and accessible to victims of sexual assault and dating violence committed against college students on- and off-campus.

H.1. Out of the amounts appropriated for this item, \$2,658,420 the first year and \$2,658,420 the second year from the nongeneral fund is provided, to be distributed as follows: for the Southern Virginia Internet Crimes Against Children Task Force, \$1,450,000 the first year and \$1,450,000 the second year; and, for the creation of a grant program to law enforcement agencies for the prevention of internet crimes against children, \$1,208,420 the first year and \$1,208,420 the second year.

2. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces shall each provide an annual report, in a format specified by the Department of Criminal Justice Services, on their actual expenditures and performance results. Copies of these reports shall be provided to the Secretary of Public Safety and Homeland Security, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department

of Planning and Budget prior to the distribution of these funds each year.

3. Subject to compliance with the reports and distribution thereof as required in paragraph 2. above, the Governor shall allocate all additional funding, not to exceed actual collections, for the prevention of Internet Crimes Against Children, pursuant to § 17.1-275.12, Code of Virginia.

I. Out of the amounts appropriated for this item, \$50,000 the first year and \$50,000 the second year from the general fund is provided for training to local law enforcement to aid in their identifying and interacting with individuals suffering from Alzheimer's and/or dementia.

J.1. Included in the appropriation for this item is \$2,500,000 the first year and \$2,500,000 the second year from the general fund to continue the pilot programs authorized in Item 398, Chapter 836, 2017 Acts of Assembly. The number of pilot sites shall not be expanded beyond those participating in the pilot program the first year.

2. The funding provided to each pilot site shall supplement, not supplant, existing local spending on these services. Distribution of grant amounts shall be made quarterly pursuant to the conditions of paragraph J.3. of this item.

3. The Department shall collect on a quarterly basis qualitative and quantitative data of pilot site performance, to include: (i) mental health screenings and assessments provided to inmates, (ii) mental health treatment plans and services provided to inmates, (iii) jail safety incidents involving inmates and jail staff, (iv) the provision of appropriate services after release, (v) the number of inmates re-arrested or re-incarcerated within 90 days after release following a positive identification for mental health disorders in jail or the receipt of mental health treatment within the facility. The Department shall provide a report on its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15th each year.

4. The department is authorized to expend up to \$125,000 per year out of the amounts allocated in Paragraph J.1. of this item for costs related to the administration of the jail mental health pilot program.

K. Included in the appropriations for this item is \$300,000 the first year and \$300,000 the second year from the general fund for the Department of Criminal Justice Services to make competitive grants to nonprofit organizations to support services for law enforcement, including post critical incident seminars and peer-supported critical incident stress management programs to promote officer safety and wellness, under guidelines to be established by the Department. The Department shall evaluate the effectiveness of the program and report on its findings to the Secretary of Public Safety and Homeland Security, the Director of the Department of Planning and Budget, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by July 1, 2022.

L. Included in the appropriation for this item is \$916,066 in the first year and \$916,066 in the second year from the general fund for the Virginia Beach Correctional Center for the Jail and Re-entry Service Coordination Pathway, which is a joint operation between the Virginia Beach

Department of Human Services and the Virginia Beach Sheriff's Office. The program consists of diversion, screening, assessment, treatment, and re-entry services for all incarcerated individuals with an active mental illness or substance use disorder diagnosis.

M. Included in this appropriation for this item, \$2,645,244 the first year and \$193,658 the second year from the general fund and two positions for the Department of Criminal Justice Services to make competitive grants to five localities to support evidence-based gun violence intervention and prevention initiatives. The Department shall evaluate the implementation and effectiveness of the programs in each locality that received the award, and provide a report that details the amount awarded, its findings and recommendations to the Governor, Secretary of Public Safety and Homeland Security, Director of the Department of Planning and Budget, and the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by November 1, 2021. The funding provided to each locality shall supplement, not supplant, existing local spending on these services.

N. Out of the appropriation in this item, \$1,500,000 the first year and \$1,500,000 the second year from the general fund is allocated for the Department of Criminal Justice Services to make competitive grants to localities to combat hate crimes, including but not limited to target hardening activities, contractual security services, critical technology infrastructure, cybersecurity resilience activities, monitoring, inspection and screening systems; security-related training for employed or volunteer security staff; and terrorism awareness training for employees. The funds appropriated in this item shall be distributed to localities that have established a partnership program with institutions or nonprofit organizations that have been targets of or are at risk of being targeted for hate crimes. The Department shall establish grant guidelines to implement these provisions and shall provide a biennial or annual request for funding from localities, based on the guidelines. For each grant requested, the application shall document the need for the grant, goals, and budget expenditure of these funds and any other sources that may be committed by localities, institutions or nonprofit organizations. Funding provided in this item shall not be used to supplant the funding provided by localities to combat hate crimes.

O.1. The Department of Criminal Justice Services shall review the feasibility and costs to the Commonwealth and localities for the implementation of a pilot program, operated in partnership with one or more participating localities identified by the department, to assess the operation of a uniform reporting mechanism for appropriate criminal justice agencies, as identified in § 9.1-101, Code of Virginia, to collect data relating to bail determinations made by judicial officers conducting hearings pursuant to § 19.2-80, § 19.2-120, or § 19.2-124 of the Code of Virginia, in order to facilitate the purpose of Article 1 (§ 19.2-119 et seq.) of Chapter 9 of Title 19.2 of the Code of Virginia.

2. As part of its review, the department shall identify the methods, feasibility and costs associated with collecting, at minimum, the following information from localities participating in the pilot program: (i) the hearing date of any hearing conducted pursuant to § 19.2-80, § 19.2-120, or § 19.2-124 of the Code of Virginia and the date any individual is admitted to bail; (ii) information about the individual, including the individual's year of birth, race, ethnicity, gender,

primary language, and residential zip code; (iii) the determination of the individual's indigency pursuant to § 19.2-159 of the Code of Virginia; (iv) information related to the individual's charges, including the number of charges; the most serious offense the individual is charged with; the Code section for such offense; the general description of such offense; whether such offense is a felony, misdemeanor, civil infraction, or other type of offense; and the specific classification of any felony or misdemeanor offense; (v) if the individual is admitted to bail, information related to the conditions of bail and the bond, including whether the bond was secured or unsecured; all monetary amounts set on the bond, including amounts set on both secured and unsecured bonds; any initial nonmonetary conditions of release imposed; any subsequent modifications; and whether the individual utilized the services of a bail bondsman; (vi) if the individual is not admitted to bail, the reason for the denial; (vii) any outstanding arrest warrants or other bars to release from any other jurisdiction; (viii) any revocation of bail due to a violation of such individual's conditions of release, failure to appear for a court hearing, or the commission of a new offense by such individual; (ix) the date the individual is sentenced to an active term of incarceration and the date such individual begins serving such active term; (x) all dates the individual is released or discharged from custody, including release upon satisfaction of the terms of any recognizance, release upon the disposition of any charges, or release upon completion of any active sentence; (xi) the reason for any release or discharge from custody, including whether the individual posted a bond, was released on a recognizance, or was released under terms of supervision, or whether there was a disposition of the charges that resulted in release of the individual. If the reason for release is due to a court order or a disposition of the charges resulting in release, the data collected shall include the specific reason for release, including the nature of the court order or, if there was a conviction, the particular sentence imposed. The data shall also include a list of definitions of any terms used by the locality to indicate reasons for release or discharge; and (xii) the average cost for housing the individual in the local correctional facility, as defined in § 53.1-1, Code of Virginia, for one night. Collected data shall be disaggregated by individual, and for each individual case, an anonymous unique identifier shall be provided.

3. The department shall provide its findings and recommendations to the Chairs of the House Appropriations, House Courts of Justice, Senate Finance and Appropriations, and Senate Judiciary Committees no later than October 15, 2020.

P. Out of this appropriation, \$500,000 the first year from the general fund is provided for the Department of Criminal Justice Services to award grants to localities for training related to enforcement of the removal of firearms based on substantial risk protective orders.

Q. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund shall be provided for the Department of Criminal Justice Services to contract with Ayuda to provide immigrants legal, social, and language services for low-income victims of crime, including victims of domestic violence, sexual assault, human trafficking and child abuse, abandonment, and neglect. The services provided shall include case management, emergency client assistance, and mental health services in the preferred language of clients.

R. Out of this appropriation, \$150,000 the first year from the general fund is provided for

community assessments for youth and gang violence prevention initiatives in Hampton, Newport News, Norfolk, Richmond, Roanoke, and Petersburg.

S.1. Included within the appropriation for this item is \$6,402,200 in the first year from the general fund for the Department to make one-time grants to law enforcement agencies located in the Commonwealth employing law enforcement officers with primary law enforcement duties, including but not limited to state agencies, local agencies, and colleges and universities, for the purpose of purchasing, operating, and maintaining body-worn camera systems. Qualified uses for grant funds shall include one-time costs associated with such body-worn camera systems, to include equipment, data storage, and technology costs, and other one-time costs associated with the purchase, operation, and maintenance of body-worn camera systems, as determined to be eligible by the Department.

2. The funding in this paragraph also includes \$56,895 in the first year and \$113,790 in the second year from the general fund for a coordinator position to manage the Body Worn Camera Grant.

3. Any distributions made to a local law enforcement agency under this paragraph shall require a 50 percent match from local fund sources.

4. The Department shall report on the distributions made under the Grant to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by September 30, 2021. The report shall include information on distributions made by agency, description and amount of equipment purchased per agency, and any balances remaining from this funding."

Explanation:

(This amendment provides one-time funding of \$6.4 million from the general fund for the Department to make grants to law enforcement agencies to support one-time costs for the purchase, operation, or maintenance of body worn camera systems. The funding is intended to be available to any law enforcement agency in the Commonwealth. An agency may apply for funding for accessory equipment if it has already purchased body-worn camera equipment. The amendment also provides \$56,895 from the general fund in the first year and \$113,790 from the general fund in the second year for a program coordinator position to manage the Body Worn Camera grants.)

Item 408 #1c

Public Safety and Homeland Security	FY20-21	FY21-22
Department of Criminal Justice Services	\$7,483,828	\$0 GF

Language:

Page 186, line 34, strike "\$200,374,655" and insert "\$207,858,483".

Page 186, line 34, strike "Not set out." and insert:

"F. Included in the appropriation for this item is \$7,483,828 in the first year from the general fund, which shall be distributed by the Department of Criminal Justice Services to local police departments statewide on December 1, 2020. These funds shall be distributed among the localities based on the respective percentage shares of the most recent headcount of sworn law enforcement officers employed by each local police department. These funds shall be used for the purposes of attracting and retaining the most qualified local police department sworn personnel and support the costs associated with criminal justice reform."

Explanation:

(This amendment provides \$7.5 million from the general fund in the first year in additional state aid for local police departments, to be distributed on December 1, 2020, to promote the recruitment and retention of the most qualified local police department sworn personnel. It is the intent of the General Assembly that this item be set out upon enrolling.)

Item 427 #1c

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of State Police	\$165,917 3.00	\$278,976 3.00	GF FTE

Language:

Page 189, line 36, strike "\$32,570,900" and insert "\$32,736,817".

Page 189, line 35, strike "\$32,070,900" and insert "\$32,349,876".

Page 190, after line 33, insert:

"D. Included within the appropriation for this item is \$165,917 in the first year and \$278,976 in the second year and three positions from the general fund for the Department to uphold the requirements of Senate Bill 5030 to share information with an attorney for the Commonwealth. Of these amounts, \$100,960 in the first year and \$65,207 in the second year for operational support for the positions, including information technology expenses, furniture, and shipping expenses."

Explanation:

(This amendment provides \$0.2 million from the general fund in the first year and \$0.3 million from the general fund in the second year and three FTEs for the Department to hire two office services assistants and one agency management analyst, as well as funding for information technology support for the positions, \$60,000 per year for postage and secure shipping supplies, and \$17,105 in one-time office furniture costs in the first year, to uphold the requirements of Senate Bill 5030 of the 2020 Special Session I.)

Item 427 #2c

Public Safety and Homeland Security	FY20-21	FY21-22
Department of State Police	(\$500,000)	\$0 GF

Language:

Page 189, line 36, strike "\$32,570,900" and insert "\$32,070,900".
 Page 190, strike lines 31 through 33.

Explanation:

(This amendment removes \$500,000 in general funds included by the Governor for a law enforcement training curriculum. No bill passed by the House necessitates this additional funding.)

Item 429 #1c

Public Safety and Homeland Security	FY20-21	FY21-22
Virginia Parole Board	\$19,512	\$39,023 GF

Language:

Page 191, line 10, strike "\$2,330,525" and insert "\$2,350,037".
 Page 191, line 10, strike "\$2,330,525" and insert "\$2,369,548".

Explanation:

(This amendment funds a part-time position to support the Board in carrying out the the provisions of Senate Bill 5018, which provides eligibility for compassionate release for terminally ill state inmates, based on review by the Board. Item 429 will be set out upon enrolling of the bill.)

Item 430 #1c

Transportation

Secretary of Transportation Language

Language:

Page 196, after line 25, insert:
 "6. The Secretary shall report to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the funding actions planned to be taken under the authority provided by P.1. through 5. of this item, as well as any actions taken pursuant to language included in Item 444.B of this act, within five [5] business days following the presentation of such proposed actions to the Commonwealth Transportation Board. The reporting shall include a listing of the programs and projects impacted, identifying the amount

and timing of the use and subsequent replacement of project allocations as required to maintain project schedules. Furthermore, within five [5] business days of a subsequent meeting of the Commonwealth Transportation Board in which official action related to the proposed funding actions is taken, the Secretary shall report to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees the funding actions approved by the Commonwealth Transportation Board, denoting any changes from the previously reported proposed funding actions. Furthermore, in order to ensure the General Assembly has the opportunity to express its disapproval of any proposed funding shifts, no changes to project allocations shall be made at the same meeting at which they are proposed, but shall be delayed until the subsequent meeting of the Commonwealth Transportation Board."

Explanation:

(This amendment includes language requiring the Secretary of Transportation to report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees detailing the redirection and repayment of Transportation Funds authorized in the introduced budget to address the reduction in Transportation revenues which have occurred due to the pandemic.)

Item 436 #1c

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, after line 44, insert:

"Q. Notwithstanding any other provision of law, for the duration of a declared Commonwealth-wide state of emergency as defined in § 44-146.16, Code of Virginia, and for up to 90 days after the declaration of a state of emergency has been rescinded or expires, the Commissioner shall ensure that individuals age 65 and older, or with an immunocompromised or other underlying medical conditions, who are not required to register pursuant to Chapter 9 of Title 9.1 and appear in person for each renewal or the requirement to obtain a photograph in accordance with § 46.2-330 F(2), are able to complete any necessary transactions for existing credentials online or through the mail, so long as such individuals are otherwise eligible to complete such transactions and federal law does not require the transactions to be completed in person."

Explanation:

(This amendment clarifies that the DMV must allow individuals who are 65 or over and individuals with an underlying medical condition can make all needed transactions electronically or through the mail during the state of emergency.)

Item 436 #2c

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, after line 44, insert:

"Q. Notwithstanding the provisions of subsection E. of § 18.2-271.1 of the Code of Virginia, if a person's license to operate a motor vehicle, engine, or train in the Commonwealth has been suspended or revoked pursuant to former § 18.2-259.1 or 46.2-390.1, a court may, in its discretion and for good cause shown, issue a restricted permit to operate a motor vehicle for any purpose set forth in subsection E. of § 18.2-271.1. No restricted license issued pursuant to this paragraph shall permit any person to operate a commercial motor vehicle as defined in the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.). The court shall forward to the Commissioner of the Department of Motor Vehicles a copy of its order entered pursuant to this paragraph, which shall specifically enumerate the restrictions imposed and contain such information regarding the person to whom such a permit is issued as is reasonably necessary to identify such person. The court shall also provide a copy of its order to the person so convicted who may operate a motor vehicle on the order until receipt from the Commissioner of the Department of Motor Vehicles of a restricted license, if the order provides for a restricted license for that time period. A copy of such order and, after receipt thereof, the restricted license shall be carried at all times by such person while operating a motor vehicle. Any person who operates a motor vehicle in violation of any restrictions imposed pursuant to this paragraph is guilty of a violation of § 46.2-301."

Explanation:

(This amendment provides courts with the authority to grant restricted driving privileges for individuals suspended for drug violations under former §§ 18.2-259.1 and 46.2-390.1.)

Item 436 #3c

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, after line 44, insert:

"Q. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit (1) Class B driver training schools and (2) computer-based driver education providers, as defined in § 46.2-1700, to administer the end-of-course driver's education test online subject to the requirements prescribed by the Commissioner. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires,

the Commissioner may permit Class B driver training schools with a valid Virginia license to administer their in-class curriculum on an online platform subject to the requirements prescribed by the Commissioner. Notwithstanding the provisions of § 22.1-205, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit the parent/student driver education component of the driver's education course to be administered online subject to the requirements prescribed by the Commissioner.”

Explanation:

(This amendment provides the DMV Commissioner flexibility to allow driver training schools providing training and skills testing for regular driver’s license applicants to administer certain portions of the driver education curriculum on an online platform subject to requirements prescribed by the Commissioner during a declared state of emergency.)

Item 477 #1c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	(\$46,111,165)	\$0 GF

Language:

Page 204, line 6, strike "\$139,552,150" and insert "\$93,440,985".

Page 204, after line 6, insert:

“CC. The Director of the Department of Planning and Budget shall withhold from general fund appropriations of state agencies and institutions of higher education, and transfer to this item, the amount of \$46,111,165 the first year representing the savings that will be realized from providing a premium holiday for members in the state employee health benefits program, including retirees and COBRA beneficiaries included in the state employee funding pool, for the two pay periods in December 2020.”

Explanation:

(This amendment captures savings of \$46.1 million from the general fund in the second year from a health insurance premium holiday covering two pay periods. The premium holiday is possible as a result of a significant increase in the health insurance fund's balances in recent years.)

Item 477 #2c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	(\$20,613,821) GF

Language:

Page 204, line 6, strike "\$213,830,664" and insert "\$193,216,843".

Page 204, line 6, strike "Not set out." and insert:

G.1. Out of the appropriation for this item, an amount estimated at ~~\$41,227,641~~ \$20,613,821 the second year from the general fund shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.

2. Notwithstanding any contrary provision of law, the health benefit plans for state employees resulting from the additional funding in this item shall allow for a portion of employee medical premiums to be charged to employees.

3. The Department of Human Resource Management shall explore options within the health insurance plan for state employees to promote value-based health choices aimed at creating greater employee satisfaction with lower overall health care costs. It is the General Assembly's intent that any savings associated with this employee health care initiative be retained and used towards funding state employee salary or fringe benefit cost increases.

4. Notwithstanding any other provision of law, it shall be the sole responsibility and authority of the Department of Human Resource Management to establish and enforce employer contribution rates for any health insurance plan established pursuant to § 2.2-2818, Code of Virginia.

5. The Department of Human Resource Management is prohibited from establishing a retail maintenance network for maintenance drugs that includes penalties for non-use of the retail maintenance network.

6. The Department of Human Resource Management shall not increase the annual out-of-pocket maximum included in the plans above the limits in effect for the plan year which began on July 1, 2014.

7. The Department of Human Resource Management shall include language in all contracts, signed on or after July 1, 2018, with third party administrators of the state employee health plan requiring the third party administrators to: 1) maintain policies and procedures for transparency in their pharmacy benefit administration programs; 2) transparently provide information to state employees through an explanation of benefits regarding the cost of drug reimbursement; dispensing fees; copayments; coinsurance; the amount paid to the dispensing pharmacy for the claim; the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager; and the amount charged by the third party administrator to the Commonwealth; and 3) provide a report to the Department of Human Resource Management of the aggregate difference in amounts between reimbursements made to pharmacies for claims covered by the state employee insurance plan, the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager, and the amount charged by the third party administrator to the Commonwealth as well as an explanation for any difference.

8. Notwithstanding the provisions of § 38.2-3418.17 and any other provision of law, effective

October 1, 2018, the Department of Human Resource Management shall provide coverage under the state employee health insurance program for the treatment of autism spectrum disorder through the age of eighteen."

Explanation:

(This amendment reduces by half the funding provided for the employer share of health insurance premium increases, due to sufficient Health Insurance Fund (HIF) balances. Chapter 1289, 2020 Acts of Assembly reflected a second year increase of 6.7 percent, based on actuarially projected growth in health care costs, enrollment updates, and actual 2019 health care claims expenditures. The HIF balance as of July 2020 was approximately \$535.2 million. It is the intent of the General Assembly that this item be set out upon enrolling.)

Item 477 #3c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$10,949,082	\$0 GF

Language:

Page 204, line 6, strike "\$139,552,150" and insert "\$150,501,232".

Page 204, line 6, strike "Not set out." and insert:

"CC. Included in the appropriation for this item is \$1,031,287 from the general fund in the first year, which shall be made available to provide sworn officers of the Department of State Police, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

DD. Included in the appropriation for this item is \$44,675 from the general fund in the first year, which shall be made available to provide sworn officers of the Division of Capitol Police, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

EE. Included in the appropriation for this item is \$3,728,996 from the general fund in the first year, which shall be made available to provide corrections and law-enforcement staff of the Department of Corrections and the Department of Juvenile Justice, who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

FF. Included in the appropriation for this item is \$625,985 from the general fund in the first year, which shall be made available to provide sworn officers of state agencies and higher education institutions, not otherwise included in paragraphs CC., DD., and EE., who were employed as of November 24, 2020, a one-time bonus payment of \$500 on December 1, 2020.

GG. Included in the appropriation for this item is \$5,518,139 from the general fund in the first year, which shall be made available to provide sworn constitutional officers and their staffs, including sheriffs, sheriffs' deputies, regional jail superintendents and corrections officers, a

one-time bonus payment of \$500 on December 1, 2020."

Explanation:

(This amendment provides funding of \$10.9 million from the general fund the first year for a \$500 one-time bonus payment, to be paid on December 1, 2020, for sworn state law-enforcement personnel of the Department of State Police, the Division of Capitol Police, the Department of Corrections, the Department of Juvenile Justice, and all other state agencies and higher education institutions, as well as sworn state-supported local constitutional officers and their staffs, and regional jail superintendants and their staffs. It is the intent of the General Assembly that this item be set out upon enrolling.)

Item 477 #4c

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 6, insert:

"CC. If within five days of the preliminary close of the fiscal year ending on June 30, 2021, the Comptroller's analysis determines that revenues met or exceeded the forecast and there is sufficient revenue, the Governor is authorized to appropriate \$97,756,001 the second year for the employee compensation actions included in paragraphs DD., EE., and FF. below.

DD.1. Contingent on the provisions of paragraph CC. above, \$79,804,059 from the general fund the second year is available to provide all classified employees of the Executive Branch and other full-time employees of the Commonwealth, except elected officials, who were employed on April 1, 2021, and remain employed until at least August 24, 2021, a one-time bonus payment equal to \$1,500 on September 1, 2021.

2. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the bonus payment authorized in this paragraph only if they have attained an equivalent rating of at least "Contributor" on their performance evaluation and have no active written notices under the Standards of Conduct within the preceding twelve-month period.

3. The governing authorities of the state institutions of higher education may provide the bonus for faculty and university staff based on performance and other employment-related factors, as long as the bonuses do not exceed what the average would have been based on the general methodology authorized in this paragraph.

EE. Contingent on the provisions of paragraph CC. above, \$2,408,099 the second year from the general fund is provided for a \$750 one-time bonus on September 1, 2021 for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions.

FF. Included in the contingent appropriation, \$15,543,843 from the general fund the second

year is provided for a one-time bonus, equal to 1.5 percent of their base salary on September 1, 2021 provided that the governing authority of such employees use such funds to support the provision of a bonus for the following listed employees:

1. Locally-elected constitutional officers;
2. General Registrars and members of local electoral boards;
3. Full-time employees of locally-elected constitutional officers; and,
4. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

GG. If there is no downward revision to the general fund revenue estimate included in this act for fiscal year 2022 and such revenue estimate includes sufficient revenue to provide both (i) the bonus payments for state and state-supported employees provided in paragraphs DD., EE. and FF. and (ii) a salary increase incentive for funded SOQ instructional and support positions in that fiscal year, the Governor shall include such salary increase incentive in his introduced budget for consideration by the 2021 General Assembly."

Explanation:

(This amendment provides language authorizing the use of \$97.8 million from the general fund for a bonus for state employees and state supported local employees contingent on the final fiscal year 2021 revenues. This amendment also directs the Governor include a salary increase incentive for K-12 instructional and support positions during the second year in the amended budget to be introduced in December 2020, provided sufficient revenue is projected.)

Item 479 #1c

Central Appropriations

Central Appropriations

Language

Language:

Page 204, line 8, strike "Not set out." and insert:

"O. On or before June 30, 2021, the Committee on Joint Rules shall authorize a reversion to the general fund of \$500,000 from the World War I and World War II Commemoration Commission (872) from fiscal year 2020 Commission balances."

Explanation:

(This amendment transfers balances for the World War I and World War II Commemoration Commission to the general fund. Upon enrolling, Item 479 shall be set out and enrolled

appropriately.)

Item 479 #2c

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 8, insert:

"R. On or before June 30, 2020, the Director of the Department of Planning and Budget shall authorize the reversion to the general fund of \$38,500,000 in unexpended general fund year end balances from budget program 722 originally appropriated in Item 476.10 of Chapter 1283 of the 2020 Acts of Assembly."

Explanation:

(This amendment reverts \$38.5 million in unallocated general fund balances which were originally appropriated for the emergency response to the COVID pandemic. The funding is not needed due to the availability of federal COVID relief funds.)

Item 479 #3c

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$3,000,000

\$3,000,000 GF

Language:

Page 204, line 8, strike "\$6,769,500" and insert "\$9,769,500".

Page 204, line 8, strike "\$5,519,500" and insert "\$8,519,500".

Page 204, after line 8, insert:

"N. Out of this appropriation is included up to \$3,000,000 the first year and up to \$3,000,000 the second year from the general fund for the purpose of funding criminal justice reform legislation adopted by the General Assembly during 2020 Special Session I and not otherwise funded in this act."

Explanation:

(This amendment provides \$6.0 million over the biennium to fund costs associated with any criminal justice reform legislation enacted subsequent to the adoption of the Conference Report for House Bill 5005 and Senate Bill 5015. It is the intent of the General Assembly that this item be set out upon enrolling.)

Item 479.10 #1c

Central Appropriations

Central Appropriations

Language

Language:

Page 204, line 9, strike "Not set out." and insert:

"A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to § 2.2-115.1 of the Code of Virginia. *The Governor shall appropriate an amount up to \$95,227,730 the first year from the COVID-19 Relief Fund for COVID-19 Local Relief Payments to be distributed to school divisions as provided in Item 145. Any additional* ~~Such~~ appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not

be limited to, *i) assistance for public education, ii) relief to small businesses, iii) assistance for housing and homelessness, iv) assistance for long term care facilities, and v) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a ~~quarterly~~ monthly basis: (i) the uses of the COVID-19 Relief fund, (ii) the total amount deposited to the COVID-19 Relief Fund, and (iii) the amount of skill game revenues distributed to each locality pursuant to enactment clause 2 of Chapters 1217 and 1277, 2020 Acts of Assembly.*

C. Any reports required by paragraphs A. or B. above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium."

Explanation:

(This amendment provides an appropriation of up to \$95.2 million the first year from the COVID-19 Relief Fund in Item 145 for COVID-19 Local Relief Payments to support the local costs of the Standards of Quality.)

Item 479.10 #2c

Central Appropriations

Central Appropriations

Language

Language:

Page 204, line 9, strike "Not set out." and insert:

"A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), and the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated in this item. *Any allocations of remaining federal relief funds by the Governor shall be included in the Executive Budget submitted in accordance with § 2.2-1509, Code of*

Virginia. All allocations of federal relief funds are subject to the provisions and conditions contained in this item.

2. Any new federal funding approved by Congress through subsequent legislation shall be appropriated by the Governor in the Executive Budget, submitted in accordance with § 2.2-1509, Code of Virginia and shall be subject to applicable federal rules and regulations governing these funds.

23. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

~~3-4.~~ The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds. *The Governor or his designee shall submit the first such report on October 31, 2020 and each quarter thereafter.*

~~4-5.~~ It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. Apportionment

1. Out of the \$3,109,502,836 estimated potential revenues to be received from the federal distributions of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), the following table represents allocations made as of July 1, 2020:

<i>Item</i>	<i>Amount Appropriated as of 7/1/2020</i>
<i>Allocations to Localities</i>	<i>\$1,289,146,766</i>
<i>FY20 Agency-based Requests</i>	<i>\$80,480,698</i>
<i>DGS - Consolidated Labs</i>	<i>\$6,052,673</i>
<i>DHCD - Emergency Housing for Homeless</i>	<i>\$8,828,998</i>
<i>DHCD - Mortgage and Rental Assistance</i>	<i>\$50,000,000</i>
<i>DMAS - Long-term care facilities</i>	<i>\$55,640,872</i>

<i>DMAS - PPE for Personal Care Attendants</i>	\$9,256,178
<i>DSBSD - Small business assistance grants</i>	\$70,000,000
<i>DSS - Food security - Expand emergency food supply package</i>	\$650,000
<i>VDACS - Food security - Agriculture surplus & emergency food</i>	\$1,211,953
<i>VDEM - Food security - 1 million MREs</i>	\$2,000,000
<i>VDEM - PPE</i>	\$97,000,000
<i>VDEM - Testing</i>	\$42,338,400
<i>VDEM - Other</i>	\$33,722,001
<i>VDH - Contract tracing/UVA Equipment</i>	\$59,157,614
<i>VDH - Replace deficit authorization</i>	\$3,291,300
Total	\$1,808,777,453

2. The allocations in this item includes an amount estimated at \$1,215,214,399 the first year from the estimated revenues to be received from the federal distributions of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) cited in paragraph B.1. above. The allocation shall be as follows:

Item	Amount
<i>SCC - Direct Utility Assistance to Customers</i>	\$100,000,000
<i>DHCD - Emergency Housing for Homeless</i>	\$3,000,000
<i>DOC - PPE, medical observation units, overtime</i>	\$7,700,000
<i>Elections - Voter safety for November election - cleaning, personal protective equipment, additional pay for election day workers, drop boxes</i>	\$10,000,000
<i>DMAS - Additional hospital reimbursements for eligible COVID-19 costs</i>	\$60,000,000
<i>DMAS - Hazard pay for home health workers</i>	\$72,000,000
<i>DMAS - Retainer payments for Medicaid DD Waiver Day Support providers</i>	\$25,000,000
<i>Higher Education - PPE, Virtual Education, Cleaning, Telework, Other COVID Costs</i>	\$120,000,000
<i>State Museums and Higher Education Centers - PPE, Virtual Education, Cleaning, Telework, Other COVID Costs</i>	\$4,500,000
<i>K-12 - Costs for Re-Opening Schools</i>	\$220,798,208
<i>DSS - Childcare Provider Stabilization Funds</i>	\$60,000,000
<i>DSS - Increase local capacity to provide care for school-age children</i>	\$16,600,000
<i>DSS - Virginia Federation of Food Banks - \$1.0 million per region</i>	\$7,000,000
<i>Statewide - PPE Plan</i>	\$42,112,285
<i>Statewide - Testing and Contact Tracing</i>	\$71,829,059
<i>Statewide - state agencies telework, PPE/sanitizing, DOLI regulation compliance and other eligible operational cost increases</i>	\$60,000,000
<i>VDH - Point of Care Antigen Testing</i>	\$16,010,500
<i>DSBSD - Small business assistance grants supplement</i>	\$5,000,000

<i>VDEM - Technical assistance, public education and preparedness for COVID-19 pandemic response</i>	\$37,000,000
<i>DHCD - Mortgage and Rental Assistance supplement</i>	\$12,000,000
<i>DHCD - broadband accessibility</i>	\$30,000,000
<i>VEC - Unemployment Assistance</i>	\$210,000,000
<i>UVA Medical Center – capital, PPE, testing, education</i>	\$10,000,000
<i>VCU Hospital – capital, PPE, testing, education</i>	\$10,000,000
<i>VDH - Executive Order enforcement</i>	\$1,298,038
<i>DBHDS - hospital census support</i>	\$2,800,000
<i>Carilion serology study</i>	\$566,309
Total	\$1,215,214,399

3. The appropriation in this item includes an amount estimated at \$120,000,000 the first year from federal funds to be distributed to the educational and general program at public institutions of higher education for the Higher Education - PPE, Virtual Education, Cleaning, Telework, Other COVID Costs cited in paragraph B.2. above. An allocation for an individual public institution of higher education shall be based on reimbursement of allowable expenditures and shall be capped at \$24.0 million. Prior to disbursement of amounts allocated in this paragraph, each public institution of higher education shall be given 15 days to submit its reimbursement request. If amounts requested exceed the \$120,000,000, the requests shall be proportionally prorated.

4. The appropriation in this item includes an amount estimated at \$4,500,000 the first year from federal funds to be distributed to other education institutions for costs associated with the COVID-19 pandemic cited in paragraph B.1. above. An allocation for an individual other education institution shall be based on reimbursement of allowable expenditures and shall be capped at \$1.0 million. Prior to disbursement of amounts allocated in this paragraph, each other education institution shall be given 15 days to submit its reimbursement request. If amounts requested exceed the \$4,500,000, the requests shall be proportionally prorated.

5.a. The appropriation in this item includes \$100,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to be used to help provide direct assistance to customers with accounts over 30 days in arrears. In order to be eligible for the funds provided in this paragraph, utilities must be subject to the utility disconnection moratorium established in Item 4-14, clause 7.a. of this act. The State Corporation Commission shall establish an application process in order to distribute funds directly to utilities for the purpose of efficiently providing direct assistance to customers. The Commission shall award funds in a manner that will provide direct assistance to customers with accounts over 60 days in arrears prior to awarding funds to subsidize customer accounts 30 days in arrears. Any federal Coronavirus Relief Funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) provided to a phase II utility pursuant to this paragraph shall exclude the forgiveness of jurisdictional customer balances as specified in Item 4-14, clause 7, paragraph j. of this act. The State Corporation Commission shall transfer any dollars necessary to address the

arrears held by customers of utilities outside the jurisdiction of the Commission to the Department of Housing and Community to pass along to these utilities. Notwithstanding § 2.2-4002, Code of Virginia, the provisions contained in this paragraph 5.a. establishing the utility direct assistance program shall not be subject to the Administrative Process Act.

b. Upon receipt of any funds provided in paragraph 5.a., utilities shall create separate COVID-19 Utility Assistance Funds and record direct assistance payments to customers on their books in accordance with applicable accounting standards. Utilities may not direct any funds provided in paragraph 5.a. to new deposits, down payments, fees, late fees, interest charges, or penalties. Utilities may require the customer to attest to the utility or to a third party chosen by the utility that the customer has experienced a financial hardship resulting directly or indirectly from the public health emergency or that they have experienced a hardship to pay during the public health emergency prior to receiving direct assistance from the utility's COVID-19 Utility Assistance Fund. While utilities may require attestation of such hardship, it may be implied that arrears accrued over 30 days for customer nonpayment of bills, for which federal relief funds shall be used for direct subsidy payments on behalf of customers pursuant to Item 4-14, paragraph d. of this act., were incurred as a financial hardship created by the pandemic. Utilities shall reflect the direct assistance payment on an eligible customer's monthly bill, after the funds are applied to the customer's account. Utility customers may only receive a direct payment subsidy from the utility's COVID-19 Utility Assistance Fund once.

c. The Director of the Department of Planning and Budget shall distribute funds to the State Corporation Commission within 30 days of the passage of this act. Prior to any distribution from the amounts appropriated in paragraph 5.a. of this item, the Director of the Department of Planning and Budget shall work with the State Corporation Commission and the Department of Housing and Community Development to verify, which utilities that are eligible to receive funds under this appropriation based on the most recently published guidance from the United States Department of the Treasury. For the purposes of this appropriation, utilities include electric companies subject to regulation of the State Corporation Commission, natural gas suppliers subject to the regulation of the Commission, electric and gas municipal utilities, and water suppliers and wastewater service providers, subject to the regulation of Commission or constituting a municipal utility. "Municipal utility" means a utility providing electric, gas, water, or wastewater service that is owned or operated by a city, county, town, authority, or other political subdivision of the Commonwealth.

6. The appropriation in this item includes \$10,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to support additional costs anticipated for the November 3, 2020 General Election. The Commissioner of the Department of Elections shall distribute these funds directly to offices of general registrars based on population or need within 30 days of the passage of this act. General registrars may use these funds for printing of additional ballots and envelopes; additional mailing or postage costs; additional voting equipment; installation and security for absentee or mail drop-boxes; temporary elections office staffing; cleaning supplies and protective equipment for staff and poll workers; pre-and post-election cleaning of polling places; additional laptops and mobile equipment; additional

automated letter opening equipment; public communication campaigns on voting changes; and other such items that support voter safety during the COVID-19 pandemic.

7. The appropriation in this item includes \$3,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to continue to provide emergency housing for homeless populations. This is in addition to the \$8,828,998 that was previously allocated to support this program using the Coronavirus Relief Funds cited in paragraph B.1. of this item.

8. The appropriation in this item includes \$210,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to provide additional support for the Virginia's Unemployment Insurance program. The Governor or his designee shall work with the Virginia Employment Commission to determine the best use of these funds. The Secretary of Commerce and Trade shall provide the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee a status report on the deployment of these funds by January 1, 2021.

9. The appropriation in this item includes \$60,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to assist with the operations of state government. This includes (i) funds to help state agencies comply with the Center for Disease Control and Prevention's and the Department of Labor and Industry's regulations for workplace safety during the COVID-19 pandemic, (ii) funds to help state agencies with increased costs for teleworking, and (iii) funds to help state agencies in acquiring PPE and sanitizing facilities. The Director of the Department of Planning and Budget shall within 30 days of the passage of this act solicit and fund requests from state agencies across all three branches of government to help cover increased expenses due to teleworking, PPE acquisition, sanitizing state facilities and retrofitting state owned buildings to comply with COVID-19 safety measures.

10. The appropriation in this item includes \$7,700,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above for the costs for the purchase of personal protective equipment, establishment and operation of medical observation units, overtime costs, and other eligible expenses of the Department of Corrections.

11. The appropriation in this item includes \$37,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above for the provision of technical assistance to local governments, the conduct of a public awareness and education campaign and other preparedness activities by the Department of Emergency Management.

12. The appropriation in this item includes \$220,798,208 the first year to be distributed to school divisions to assist with costs associated with the COVID-19 emergency, including but not limited to costs associated with implementing social distancing measures, providing distance learning, and providing computer equipment and internet access to students. In expending such funds, school divisions shall comply with federal CARES Act requirements and the most recently published United States Treasury Department guidance for the Coronavirus Relief Fund.

13. The appropriation in this item includes \$60,000,000 the first year from Coronavirus Relief

Funds cited in paragraph B.2. above for the Department of Medical Assistance Services to make payments to Virginia hospitals for COVID-19 related auditable costs that have not been reimbursed through other federal relief programs available for this purpose in calendar year 2020. The Department shall have the authority to implement such payments in the most efficient and expeditious manner prior to the completion of any regulatory process to effect such changes.

14. The appropriation in this item includes \$72,000,000 the first year from Coronavirus Relief Funds cited in paragraph B.2. above for the Department of Medical Assistance Services for hazard pay for consumer directed and agency directed personal care attendants who provide Medicaid personal care, respite or companion care services in the amount of \$1,500 per personal care attendant. The Department shall have the authority to implement such payments prior to the completion of any regulatory process to effect such changes.

15. The appropriation in this item includes \$25,000,000 the first year from Coronavirus Relief Funds cited in paragraph B.2. above for the Department of Medical Assistance for monthly retainer payments to Medicaid day support providers covering the period of August through December 2020. The Department shall determine the monthly retainer based on the monthly average retainer payments made by Medicaid for dates of service between April 1 and July 31, 2020 and billed, and paid by October 31, 2020. The Department shall have the authority to implement these payments prior to the completion of any regulatory process to effect such changes.

16. The appropriation in this item includes \$76,600,000 the first year from Coronavirus Relief Funds cited in paragraph B.2. above to support stabilization of the child care industry and the provision of child care during the COVID-19 emergency.

a. Out of this appropriation, \$60,000,000 is provided to support stabilization grants for child care providers and local community partnerships. The Department of Social Services, in collaboration with the Department of Education, shall award such grants with the goals of (i) preserving the long-term capacity of Virginia's early childhood and care system while programs are operating at reduced capacity during the COVID-19 emergency, and (2) providing additional child care slots in the short-term.

b. Out of this appropriation \$16,600,000 is provided for the Department of Social Services to contract with local partners to provide support to school divisions, local governments, and other entities, including religious institutions and community centers, for the provision of space to increase local capacity to provide care for school-age children, purchase personal protective equipment (PPE) and cleaning supplies, and provide a stable financial environment for the operation of these programs. School divisions, local governments, and local departments of social services shall cooperate with local partners receiving these funds to maximize the number of school-age children served. In addition, local partners are encouraged to use these funds to support a diverse set of providers with these funds including existing child day centers, family day homes, religious institutions, and other organizations seeking to provide such services. These funds shall be used prior to the expenditures of general fund amounts provided

for this purpose as set forth in Item 350 of this act.

c. Funds referenced in paragraphs a. and b. above may be redirected among paragraphs a. and b. to respond to greater need for either program or to ensure the use of Coronavirus Relief Funds is maximized prior to the federal deadline to incur Coronavirus Relief Fund expenses.

17. The appropriation in this item includes \$7,000,000 the first year from Coronavirus Relief Funds cited in paragraph B.2. above to the Department of Social Services for the Virginia Federation of Food Banks to provide \$1,000,000 to each of the seven regional food banks.

18. Out of this appropriation, \$5,000,000 is provided for DSBSD - Small business assistance grants as a supplement to increase the grant size for the Rebuild Virginia program and expand the eligibility criteria so that small businesses as defined in § 2.2-1604 of the Code of Virginia that have suffered loss as a result of the COVID-19 pandemic may participate in the federal coronavirus relief funds available through the program including recreation and tourism small businesses that are Virginia-based.

B. C. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. Such appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, i) relief to small businesses, ii) assistance for housing and homelessness, iii) assistance for long term care facilities, and iv) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

D. The Governor is authorized to allocate the remaining amount of the estimated potential revenues to be received from the federal distributions of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) cited in paragraph B.1. above. However, the Governor shall, within two days of making any allocation action, make such plan available via electronic means to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

~~€. E.~~ Any reports required by paragraphs A., ~~or~~ B., or C. above may be submitted electronically. ~~Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website. However, reports in paragraphs A., B., C., or D. above are not eligible for deferral or delay as permitted under Item 4-8.01, a.4.a.) of this act.~~

~~Đ. F.~~ Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.

G. If, as of December 1, 2020, the Governor determines that any of the amounts outlined in paragraphs B.1. through B.18. of this item can not be spent for the purposes outlined in such

subparagraphs, he shall have the authority to shift unspent allocations to any other purpose outlined in paragraph B. If, as of December 18, 2020, the Governor reports unspent allocations remain, all such amounts shall be transferred to Unemployment Compensation Fund established pursuant to § 60.2-300. However, if Congress extends the expiration date for the use of Coronavirus Relief Funds, then the date by which the Governor shall be allowed to shift allocations is 30 days prior to the new expiration date for the use of the federal funds and any remaining unallocated funds as of 12 days prior to the expiration date shall be allocated to the Unemployment Compensation Fund."

Explanation:

(This amendment allocates remaining Coronavirus Relief Funds and makes technical changes to the authority previously provided related to federal relief funds.)

	Item 482.20 #1c	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$3,750,000	\$3,750,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$750,265,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,790,477".
 Page 216, line 18, strike "\$7,500,000" and "\$7,500,000" and insert: "\$3,750,000" and "\$3,750,000".

Explanation:

(This amendment restores \$3.75 million each year for census reduction programs for state-operated psychiatric hospitals that was reduced in the introduced budget. The budget passed in March contained \$7.5 million each year for these programs, but funding was subsequently unallotted in April due to the pandemic and eliminated in the introduced budget. Prior to the COVID-19 pandemic, the census of the state-operated psychiatric hospitals averaged 95 percent of their total bed capacity. Through the month of July 2020, the state operated psychiatric hospitals experienced an increase in admissions and at times exceeded their operating bed capacity. Restoration of half of this funding will assist the Department of Behavioral Health and Developmental Services in their efforts to develop public-private partnerships to reduce the census in these facilities.)

	Item 482.20 #2c	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$250,000	\$250,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,290,477".
Page 216, strike line 24.

Explanation:

(This amendment restores \$250,000 each year from the general fund to provide grants for recovery residences through the Virginia Association of Recovery Residences to promote services for substance use disorder. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #3c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$2,458,479	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,081,998".
Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,333,081,998".
Page 215, line 38, strike "\$2,458,479" and insert "\$0".
Page 216, line 8, strike "\$127,501,107" and insert "\$125,042,628".

Explanation:

(This amendment adds \$2.4 million from the general fund the second year to restore funding for Medicaid rate increases for mental health service providers to 110 percent of Medicare rates. The budget passed in March contained \$2.4 million each year for this rate increase, but funding was subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #4c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$293,023	\$3,289,890	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,722,969".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,250,587".
Page 205, line 9, strike "\$754,015,992" and insert "\$753,722,969".
Page 205, line 9, strike "\$1,335,540,477" and insert "1,332,250,587".

Page 215, line 15, strike "\$1,172,091" and insert "\$879,068".
 Page 215, line 15, strike "\$3,289,890" and insert "\$0".
 Page 216, line 8, strike "\$79,572,610" and insert "\$79,279,587".
 Page 216, line 8, strike "\$127,501,107" and insert "\$124,211,217".

Explanation:

(This amendment restores \$293,023 the first year and \$3.3 million general fund the second year to eliminate, effective April 1, 2021 or later upon federal approval, the current Medicaid requirement that legal permanent residents have 40 quarters (10 years) of work experience in order to be eligible for Medicaid benefits. Federal law requires five years of legal residence to qualify for Medicaid but Virginia requires 10 years of work experience, one of six states with such a requirement. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #5c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$17,486,839	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,318,053,638".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,318,053,638".
 Page 215, line 7, strike "\$25,304,935" and insert "\$7,818,096".
 Page 216, line 8, strike "\$127,501,107" and insert "\$110,014,268".

Explanation:

(This amendment restores \$17.5 million from the general fund the second year to add a Medicaid adult dental benefit to take effect on July 1, 2021. This benefit was funded in the 2020 Appropriation Act to take effect January 1, 2021, but subsequently was unallotted in the April 2020 Reconvened Session and eliminated in the Governor's introduced budget for the 2020 Special Session I.)

Item 482.20 #6c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,209,470	\$9,609,223	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$750,806,522".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,325,931,254".
 Page 205, line 9, strike "\$754,015,992" and insert "\$750,806,522".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,325,931,254".
 Page 215, line 13, strike "\$9,609,223" and "\$9,609,223" and insert:
 "\$6,399,753" and "\$0".
 Page 216, line 8, strike "\$79,572,610" and insert "\$76,363,140".
 Page 216, line 8, strike "\$127,501,107" and insert "\$117,891,884".

Explanation:

(This amendment restores \$3.2 million the first year and \$9.6 million the second year from the general fund to pay overtime compensation to personal care attendants who are providing care under the consumer-directed service option in Medicaid waivers. The amendment allows Medicaid to pay time and a half for up to eight hours for a single attendant who works more than 40 hours per week, beginning January 1, 2021, and effective July 1, 2021 to pay for up to 16 hours of overtime per week. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

	Item 482.20 #7c	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$278,734	\$2,116,376 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,737,258".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,424,101".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,737,258".
 Page 205, line 9, strike "\$1,335,540,477" and insert "1,333,424,101".
 Page 215, line 22, strike "\$1,114,936" and insert "\$836,202".
 Page 215, line 22, strike "\$2,116,376" and insert "\$0".
 Page 216, line 8, strike "\$79,572,610" and insert "\$79,293,876".
 Page 216, line 8, strike "\$127,501,107" and insert "\$125,384,731".

Explanation:

(This amendment restores \$278,734 the first year and \$2.1 million the second year from the general fund to extend postpartum coverage for women in the FAMIS program from two months to 12 months, effective April 1, 2021 or upon federal approval. Funding for this coverage extension was included in the 2020 Appropriation Act but subsequently unallotted in April due to the COVID-19 pandemic, and proposed to be eliminated in the introduced budget for the 2020 Special Session I. Women with income from 143 to 205 percent of the federal poverty level are currently eligible for coverage in the FAMIS program during pregnancy through 60 days postpartum. FAMIS is funded through the federal Children’s Health Insurance Program with a typical 35 percent state match.)

Item 482.20 #8c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$352,534 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,187,943".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,187,943".

Page 215, line 48, strike "\$352,534" and insert "\$0".

Page 216, line 8, strike "\$127,501,107" and insert "\$127,148,573".

Explanation:

(This amendment restores \$352,534 the second year from the general fund to require Medicaid managed care organizations to reimburse at no less than 90 percent of the state Medicaid fee schedule for durable medical equipment. These funds were included in the budget passed in March 2020, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #9c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$6,245,286 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,295,191".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,329,295,191".

Page 215, line 46, strike the second "\$6,245,286" and insert "\$0".

Page 216, line 8, strike "\$127,501,107" and insert "\$121,255,821".

Explanation:

(This amendment restores funding to increase Medicaid reimbursement for skilled and private duty nursing to 80 percent of the benchmark rate effective July 1, 2021. This increase applies to skilled nursing services provided through the Developmental Disability Waiver programs and private duty nursing services including congregate nursing services provided in the Commonwealth Coordinated Care Plus Waiver, the Developmental Disability Waiver programs and the Early and Periodic Screening, Diagnostic and Treatment program. This amendment increases the skilled nursing rates by 16.1 percent and private duty nursing rates by an average of 11.6 percent. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #10c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$262,491	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,277,986".

Page 205, line 9, strike "\$1,335,540,477" and insert "1,335,277,986".

Page 215, line 36, strike "\$262,491" and insert "\$0".

Page 216, line 8, strike "\$127,501,107" and insert "\$127,238,616".

Explanation:

(This amendment restores \$262,491 the second year from the general fund to increase Medicaid reimbursement for anesthesiologists to 70 percent of the equivalent Medicare rate in the fee for service and managed care programs. The intent of the 2019 General Assembly was to increase Medicaid reimbursement to 70 percent of the equivalent Medicare fee to physicians who were reimbursed less than 70 percent of Medicare rates. The anesthesiologists qualified for this increase but were inadvertently left out of the budget language. This ensures that the error is corrected. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #11c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$250,000	\$0	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".

Page 214, strike lines 14 and 15.

Page 214, line 18, strike "\$300,000" and insert "\$50,000".

Explanation:

(This amendment adds \$250,000 the first year from the general fund to restore funding to complete the rate study for private day special education programs funded through the Children's Services Act. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #12c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$300,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,715,992".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,715,992".

Page 215, strike line 50.

Page 216, line 8, strike "\$79,572,610" and insert "\$79,272,610".

Explanation:

(This amendment restores \$300,000 the first year from the general fund for the Department of Medical Assistance Services to contract with a consultant with expertise in health care rate setting to thoroughly analyze current Medicaid rates for services likely impacted by an increase in the state minimum wage and to make recommendations for rate adjustments as appropriate. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #13c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$1,350,000	\$2,600,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,665,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,940,477".

Page 205, line 9, strike "\$754,015,992" and insert "\$752,665,992".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,332,940,477".

Page 215, strike lines 8 and 9.

Page 216, line 8, strike "\$79,572,610" and insert "\$78,222,610".

Page 216, line 8, strike "\$127,501,107" and insert "\$124,901,107".

Explanation:

(This amendment restores \$1.4 million the first year and \$2.6 million the second year to fully fund an error in the Official Medicaid Forecast that removed funding for new graduate medical residency slots funded through Medicaid. Included in this funding is \$100,000 from the general fund which matches a like amount of nongeneral funds for the Graduate Medical Education residency program each year of the biennium, to provide funding for 27 slots, rather than 25, for the physicians who begin their residencies in July 2021. These funds were included in the

budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #14c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$7,500,000	\$10,000,000	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$746,515,992".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,325,540,477".
- Page 205, line 9, strike "\$754,015,992" and insert "\$746,515,992".
- Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,325,540,477".
- Page 216, line 15, strike "\$7,500,000" and insert "\$0".
- Page 216, line 15, strike "\$12,500,000" and insert "\$2,500,000".
- Page 216, line 27, strike "\$20,713,104" and insert "\$13,213,104".
- Page 216, line 27, strike "\$26,155,627" and insert "\$16,655,627".

Explanation:

(This amendment restores \$7.5 million the first year and \$10.0 million the second year to fund statewide discharge assistance plans to address census issues at state facilities by increasing the availability of community-based services for individuals determined clinically ready for discharge. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #15c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,000,000	\$17,000,000	GF

Language:

- Page 205, line 1, strike "\$754,015,992" and insert "\$751,015,992".
- Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,318,540,477".
- Page 205, line 9, strike "\$754,015,992" and insert "\$751,015,992".
- Page 205, line 9, strike "\$1,355,540,477" and insert "\$1,318,540,477".
- Page 216, line 32, strike "\$8,500,000" and insert "\$5,500,000".
- Page 216, line 32, strike "\$17,000,000" and insert "\$0".
- Page 216, line 36, strike "\$29,604,173" and insert "\$26,604,173".
- Page 216, line 36, strike "\$49,252,214" and insert "\$32,252,214".

Explanation:

(This amendment restores \$3.0 million the first year and \$17.0 million the second year to increase permanent supportive housing capacity to serve more individuals with serious mental illness and provide stable housing. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #16c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$2,112,194	\$4,224,388	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$751,903,798".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,316,089".
 Page 205, line 9, strike "\$754,015,992" and insert "\$751,903,798".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,331,316,089".
 Page 216, line 20, strike "\$4,224,388" and "\$4,224,388" and insert: "\$2,112,194" and "\$0".
 Page 216, line 27, strike "\$20,713,104" and insert "\$18,600,910".
 Page 216, line 27, strike "\$26,155,627" and insert "\$21,931,239".

Explanation:

(This amendment restores \$2.1 million the first year and \$4.2 million the second year to fully fund statewide implementation, effective January 1, 2021, of the Virginia Mental Health Access Program (VMAP), an integrated care program that increases access for children and adolescents to behavioral health services through enhanced pediatric training, psychiatric consultations, telehealth, and care navigation. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #17c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$30,151,414	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,305,389,063".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,305,389,063".
 Page 216, line 34, strike "\$30,151,414" and insert "\$0".

Page 216, line 36, strike "\$49,252,214" and insert "\$19,100,800".

Explanation:

(This amendment restores \$30.2 million the second year from the general fund to restore funding for services as part of STEP-VA that was included in Chapter 1289, of the 2020 Appropriation Act. The funding includes \$6.8 million for mobile crisis services and \$4.7 million for crisis dispatch that will assist in implementation of House Bill 5043 / Senate Bill 5038, that creates a mental health awareness response system. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #18c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$579,951	\$1,159,901	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,436,041".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,380,576".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,436,041".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,334,380,576".
 Page 217, line 47, strike "\$1,159,901" and "\$1,159,901" and insert: "\$579,950" and "\$0".
 Page 217, line 51, strike "\$31,646,263" and insert "\$31,066,312".
 Page 217, line 51, strike "\$41,188,197" and insert "\$40,028,296".

Explanation:

(This amendment restores \$579,951 the first year and \$1.2 million the second year to fund a 15 percent increase in TANF cash assistance payments to two-parent families. On July 1, 2020, the increase was provided to most TANF families, however cash assistance for two-parent families are funded from the general fund, and the associated funding included in the budget passed in March was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I. This amendment restores the funding to allow two-parents families to receive the 15 percent increase beginning January 1, 2021.)

Item 482.20 #19c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$250,000	\$0	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".
 Page 208, strike line 9 through line 10.
 Page 208, line 32, strike "\$178,344,517" and insert "\$178,094,517".

Explanation:

(This amendment restores funding to the Emil and Grace Shihadeh Innovation Center for one-time support for furniture and equipment. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #20c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$161,719	\$323,437 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,854,273".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,217,040".
 Page 205, line 27, strike:
 "\$323,437" and "\$323,437" and insert "\$161,718" and "\$0".
 Page 205, line 9, strike:
 "\$754,015,992" and insert "\$753,854,273".
 Page 205, line 9, strike:
 "\$1,335,540,477" and insert "\$1,335,217,040".

Explanation:

(This amendment restores funding related to a new judgeship in the 19th judicial district that was unallotted in Chapter 1289, 2020 Acts of Assembly. The first year funding is prorated six months, with an effective date of January 1, 2021.)

Item 482.20 #21c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$400,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,615,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,615,992".

Page 208, line 36, strike the first "\$400,000" and insert "\$0".

Explanation:

(This amendment restores \$400,000 the first year only in additional funding for the Virtual Library of Virginia. New funding included in the budget passed in March, was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I. This amendment restores the funding.)

Item 482.20 #22c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$350,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,665,992".

Page 208, line 2, strike the first "\$500,000" and insert "\$150,000".

Explanation:

(This amendment restores \$350,000 the first year from the general fund to support educational programming produced by Blue Ridge PBS. The budget passed in March included \$500,000 for this initiative, but funds were subsequently unallotted in April due to the pandemic and eliminated in House Bill 5005.)

Item 482.20 #23c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$2,500,000	\$4,100,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$751,515,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,440,477".

Page 208, line 12, strike "\$5,300,000" and "\$5,300,000" and insert: "\$2,800,000" and "\$1,200,000".

Explanation:

(This amendment restores \$2.5 million in the first year and \$4.1 million in the second year from the general fund to implement expanded access to school meals.)

Item 482.20 #24c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$1,424,522	\$7,596,300 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,591,470".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,327,944,177".
 Page 205, line 25, strike "\$5,732,280" and insert "\$4,307,758".

Explanation:

(This amendment restores funding of \$1.4 million from the general fund the first year and \$7.6 million from the general fund the second year related to additional district court clerk positions that was unallotted in Chapter 1289, 2020 Acts of Assembly.)

Item 482.20 #25c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$949,682	\$5,698,089 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,066,310".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,842,388".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,066,310".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,329,842,388".
 Page 205, line 31, strike "\$3,798,726" and insert "\$2,849,044".
 Page 205, line 31, strike "\$5,698,089" and insert "\$0".

Explanation:

(This amendment restores funding of \$949,682 from the general fund the first year and \$5.7 million from the general fund the second year related to additional public defender positions for the Indigent Defense Commission that was unallotted in Chapter 1289, 2020 Acts of Assembly.)

Item 482.20 #26c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$1,000,000	\$1,000,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,015,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,540,477".

Page 213, lines 41 through 45.

Explanation:

(This amendment restores funding for the expansion of the Online Virginia Network.)

	Item 482.20 #27c	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$10,273,553 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,325,266,924".
 Page 215, line 17, strike "\$10,273,553" and insert "\$0".

Explanation:

(This amendment adds \$10.3 million from the general fund the second year to restore funding for the redesign of Medicaid behavioral health services to ensure that services provided through Medicaid are evidence based and provide a continuum of community rehabilitation behavioral health services. The budget passed in March contained funding for this effort, but funding was subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

	Item 482.20 #28c	
Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$10,697,611	\$22,037,077 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$743,318,381".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,313,503,400".
 Page 215, line 30, strike "(21,395,221)" and insert "(10,697,610)".
 Page 215, line 30, strike "\$22,037,077" and insert "\$0".

Explanation:

(This amendment restores \$10.7 million the first year and \$22.0 million the second year from the general fund to increase group home, sponsored residential and group day support rates effective January 1, 2021 for services provided through the current Medicaid Developmental Disability Waiver programs using updated data measures available, including wage assumptions, to 100 percent of the rate model benchmark. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget. A companion amendment updates rates for community integration services provided through the DD waiver programs.)

Item 482.20 #29c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$3,748,853 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,791,624".
 Page 215, line 32, strike "\$3,748,853" and insert "\$0".

Explanation:

(This amendment restores \$3.7 million the second year from the general fund to increase Medicaid rates for community integration services provided through the current Medicaid Developmental Disability Waiver programs using updated data. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget. A companion amendment updates rates for group homes, sponsored residential and group day support services provided through the DD waiver programs.)

Item 482.20 #30c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$7,599,696 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,327,940,781".
 Page 215, line 44, strike the second "\$7,599,696" and insert "\$0."

Explanation:

(This amendment adds \$7.6 million from the general fund the second year to restore funding for a Medicaid rate increase for psychiatric residential treatment facilities effective July 1, 2021. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #31c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$37,313,648 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,298,226,829".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,298,226,829".
 Page 208, line 23, strike "\$48,436,297" and insert "\$11,122,649".
 Page 208, line 32, strike "\$304,970,121" and insert "\$267,656,473".

Explanation:

(This amendment restores funding for pre-kindergarten access for at-risk three and four year old children in the second year. The restored amount increases the Virginia Preschool Initiative per pupil amount from \$6,326 in fiscal year 2021 to \$6,959 in fiscal year 2022, representing a 10 percent increase. The budget passed in March increased the per pupil amount from \$6,326 in fiscal year 2020 to \$6,959 in fiscal year 2021 and \$7,655 in fiscal year 2022, but these funds were subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #32c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$35,173,962	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,300,366,515".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,300,366,515".
 Page 208, line 16, strike "\$35,173,962" and insert "\$0".
 Page 208, line 32, strike "\$304,970,121" and insert "\$269,796,159".

Explanation:

(This amendment restores funding to support at-risk students in the second year. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #33c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$170,125	\$226,832	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,845,867".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,313,645".
 Page 219, strike lines 29 through 31.

Explanation:

(This amendment restores \$170,125 the first year and \$226,832 the second year for an executive director and additional investigator for the Board of Local and Regional Jails.)

Item 482.20 #34c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$100,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,915,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,915,992".
 Page 218, strike line 45 through line 46.
 Page 219, line 3, strike "\$1,082,144" and insert "\$982,144".

Explanation:

(This amendment restores funding for the County of Gloucester in support of the historic preservation of the Woodville School.)

Item 482.20 #35c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$250,000	\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,765,992".
 Page 218, strike line 48 through line 49.
 Page 219, line 3, strike "\$1,082,144" and insert "\$832,144".

Explanation:

(This amendment restores funding to the County of Fairfax to support NOVA Parks in commemoration of the centennial of Women's Suffrage.)

Item 482.20 #36c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$376,364	\$376,364 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,639,628".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,164,113".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,639,628".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,164,113".
 Page 218, strike line 18.
 Page 218, line 28, strike "\$3,398,510" and insert "\$3,022,146".
 Page 218, line 28, strike "\$27,935,341" and insert "\$27,558,977".

Explanation:

(This amendment restores dedicated operating support to the public operations of Natural Bridge State Park.)

Item 482.20 #37c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$342,678	\$209,509 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,673,314".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,330,968".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,673,314".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,330,968".
 Page 218, strike line 24 through line 25.
 Page 218 line 28, strike "\$3,398,510" and insert "\$3,055,832".
 Page 218 line 28, strike "\$27,935,341" and insert "\$27,725,832".

Explanation:

(This amendment restores funding for the operation of the Green Pastures Recreation Area as a satellite facility of Douthat State Park.)

Item 482.20 #38c

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$1,150,000	\$2,300,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,865,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,240,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$752,865,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,333,240,477".
 Page 219, line 47, strike "\$2,300,000" and "\$2,300,000" and insert :
 "\$1,150,000" and "\$0".

Page 219, line 52, strike the first "\$13,878,574" and insert "\$12,728,574)."
 Page 219, line 52, strike the second "\$13,878,574" and insert "\$11,578,574)".

Explanation:

(This amendment restores \$1.2 million the first year and \$2.3 million the second year from the general fund to increase the amount available to the Department of Criminal Justice Services to distribute to local community corrections programs for pretrial and probation services. The funding provides for programs to be established in 33 localities lacking such programs. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #39c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$500,000	\$1,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,515,992)."
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,540,477)."
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,515,992)."
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,334,540,477)."
 Page 219, line 43, strike "\$1,000,000" and "\$1,000,000" and insert:
 "\$500,000" and "\$0".
 Page 219, line 52, strike "\$13,878,574" and "\$13,878,574" and insert:
 "\$13,378,574" and "\$12,878,574)."

Explanation:

(This amendment restores \$0.5 million the first year and \$1.0 million the second year from the general fund to increase the amount available to the Department of Criminal Justice Services for pre-release and post-incarceration services. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #40c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$200,000	\$200,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,815,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,340,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$753,815,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,340,477".
 Page 219 strike line 45 through line 46.
 Page 219, line 52, strike "\$13,878,574" and "\$13,878,574" and insert:
 "\$13,678,574" and "\$13,678,574".

Explanation:

(This amendment restores \$0.2 million in each year from the general fund to increase the amount available to the Department of Criminal Justice Services to make grants to organizations for post-critical incident support for law enforcement officers. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #41c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$3,000,000	\$3,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$751,015,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,540,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$751,015,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,332,540,477".
 Page 219, strike line 35 through line 37.
 Page 219, line 38, strike "\$15,142,502" and insert "\$12,142,502."
 Page 219, line 38, strike "\$26,956,626" and insert "\$23,956,626."

Explanation:

(This amendment restores \$3.0 million in each year from the general fund for the Department of Corrections to implement an electronic health records system for all correctional facilities. These funds were included in the budget passed in March, but subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I.)

Item 482.20 #42c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$20,000,000	\$14,000,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$734,015,992".
 Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,321,540,477".
 Page 205, line 9, strike "\$754,015,992" and insert "\$744,015,992".
 Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,311,540,477".
 Page 209, line 29, strike "\$10,000,000" and insert "\$0".
 Page 209, line 29, strike "\$12,000,000" and insert "\$5,000,000".
 Page 210, line 13, strike "\$10,000,000" and insert "\$0".
 Page 210, line 13, strike "\$12,000,000" and insert "\$5,000,000".

Explanation:

(This amendment restores \$10.0 million each the first year and \$7.0 million each the second year for George Mason University and Old Dominion University to begin addressing funding disparities due to enrollment growth for in-state students, continued increases in two-year transfer students, and educational program development to support economic growth. Funding was included in the budget passed in March was subsequently unallotted in April due to the COVID-19 pandemic and eliminated in the introduced budget for the 2020 Special Session I. This amendment restores the original amount of funding in the first year and a partial amount in the second year.)

Item 482.20 #43c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$4,133,500	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,331,406,977".
 Page 215, strike line 6.

Explanation:

(This amendment adds \$4.1 million from the general fund the second year to restore funding for 250 Medicaid Developmental Disability Waiver slots. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #44c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$6,984,788	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,328,555,689".

Page 215, line 34, strike "\$6,984,788" and insert "\$0".

Explanation:

(This amendment adds \$6.9 million from the general fund the second year to restore funding for Medicaid nursing facility reimbursement. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item 482.20 #45c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$160,800	\$160,800	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,855,192".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,379,677".

Page 205, line 9, strike "\$754,015,992" and insert "\$753,835,192".

Page 205, line 9, strike "\$1,335,540,477" and insert "\$1,335,379,677".

Page 218, strike line 17.

Page 218, line 28, strike "\$3,398,510" and insert "\$3,237,710".

Page 218, line 28, strike "\$27,935,341" and insert "\$27,774,541".

Explanation:

(This amendment restores dedicated funding to support the public operations of Mason Neck State Park.)

Item 482.20 #46c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$8,718,731	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,326,821,746".

Page 217, line 36, strike "\$17,437,461" and insert "\$8,718,730".

Explanation:

(This amendment restores \$8.7 million from the general fund the second year for Family First

prevention services at local departments of social services. The budget passed in March contained funding for this effort, but funding was subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Item C-12.10 #1c

Education

George Mason University

Language

Language:

Page 225, line 24, strike "Not set out." and insert:
 "C-12.10 Planning: Academic VIII-STEM, *Science and Technology Campus* (18498)".

Explanation:

(This amendment makes a technical project title change clarifying project location based on the institution's capital project request.)

Item C-42 #1c

Natural Resources

FY20-21

FY21-22

Department of Conservation and Recreation

\$500,000

\$0 NGF

Language:

Page 227, line 16, strike "\$12,500,000" and insert "\$13,000,000".
 Page 227, line 16, strike "Not set out." and insert:

"Improvements: Make Critical Infrastructure Repairs and Residences at Various State Parks, Phase I (18366)

~~\$12,500,000~~
 \$13,000,000

\$0

Fund Sources:

Bond Proceeds

~~\$12,500,000~~
 \$13,000,000".

\$0

Explanation:

(This amendment provides and additional \$500,000 nongeneral fund bond proceeds for critical infrastructure repairs and preventive maintenance projects across the Virginia State Park System.)

Item C-61.50 #1c

Transportation

Virginia Commercial Space Flight Authority

Language

Language:

Page 228, unstrike line 24.

Page 228, line 24, strike "General" and insert "Bond Proceeds".

Explanation:

(This amendment changes the fund source for the regional airport hangar project.)

Item C-69 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 230, line 46, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

Page 592, strike paragraph A.1. and insert:

"A. 1. Included in this item is \$170,700,000 in bond appropriation which may be transferred between and among the capital project pools listed, *or any project within a listed pool notwithstanding § 2.2-1519 E*, in paragraph O. of § 2-0 of this act in order to address any shortfall in appropriation in one or more of such project pools *or project*, pursuant to the provisions of § 2-0, paragraph O., of this act and may be financed in whole or in part through bonds of the Virginia College Building Authority pursuant to § 23.1-1200 et seq., Code of Virginia, or the Virginia Public Building Authority pursuant to § 2.2-2260 et seq., Code of Virginia. Bonds of the Virginia College Building Authority issued to finance these projects may be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue. The aggregate principal amount shall not exceed \$170,700,000 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, in accordance with § 2.2-2263, Code of Virginia."

Explanation:

(This amendment clarifies that bond appropriation may be transferred between and among the listed capital project pools.)

Item C-72.10 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 231, unstrike lines 2 through 7.

Page 231, line 4, strike "General" and insert "Bond Proceeds".

Page 231, line 5, strike "general fund" and insert "bond proceeds".

Explanation:

(This amendment changes the funding source for the Virginia Beach Nimmo Parkway access project.)

Item C-74 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 231, line 16, strike "Not set out." and insert:

Amendment drawn to Chapter 1289

Page 650, strike Item C-74 and insert:

"A.1. Pursuant to projects authorized and funded in paragraphs B. and E.1. of Item C-39.40 of Chapter 1 of the 2014 Special Session I, Virginia Acts of Assembly, the General Assembly appropriated funds to the Department of General Services (DGS) for Capitol Complex Infrastructure and Security construction projects. Project work includes improvements and safety and security enhancements to be constructed or installed within the right-of-way of North 9th Street (between the area north of where Bank Street intersects North 9th Street and south of where North 9th Street intersects East Broad Street) and within the right-of-way of East Broad Street (between the area from where the western right-of-way line of North 9th Street intersects East Broad Street to where the ~~western~~ eastern right-of-way line of Governor Street intersects East Broad Street), which rights-of-way are owned by the City of Richmond (City), and more specifically as determined by the DGS project team and in collaboration with the City with respect to such rights-of-way. Accordingly, the City and DGS shall enter into a deed of easement or other proper instruments, in such form approved by the Offices of the City Attorney and of the Commonwealth Office of the Attorney General, whereby the City, without charge to the Commonwealth, shall grant to DGS, as agent of the Commonwealth, where mutually agreeable across, over, under and above the referenced right-of-way of North 9th Street and East Broad Street, (a) the perpetual and irrevocable right, privilege and easement to construct, install, use, operate, inspect, maintain, repair, replace, rebuild, improve, alter and

remove (i) any construction or installation contracted for by DGS either as part of the referenced construction projects or at any time with respect to safety and security enhancements around the perimeter of Capitol Square deemed appropriate by DGS and (ii) all equipment, accessories, utilities and appurtenances necessary to support such construction projects and such incorporation of safety and security enhancements, (b) the perpetual and irrevocable right, privilege and easement to inspect, maintain, repair, replace and rebuild the sidewalks and elements thereof (but not traffic control devices and signage or street lighting located thereupon) of the referenced right-of-way of North 9th Street and East Broad Street and (c) any necessary or appropriate temporary construction easements, upon terms approved by the Mayor of Richmond and the Governor (pursuant to § 2.2-1149, Code of Virginia); approval by Richmond City Council shall not be required.

2. The City, without expending City funds, shall cooperate with DGS (i) to support the referenced construction project work and incorporation of safety and security enhancements at and along North 9th Street and East Broad Street, (ii) to relocate any utilities located in the agreed upon easement area, if necessary, and (iii) to coordinate any closure or other traffic flow controls of North 9th Street and East Broad Street during the performance of the construction projects and the incorporation of any safety and security features that will enhance safety and security around the perimeter of Capitol Square. At no time shall DGS make any permanent changes to the North 9th Street or East Broad Street rights-of-way without the prior approval of the Chief Administrative Officer of the City or the City hinder or delay construction of the referenced construction projects. Notwithstanding the foregoing, DGS may commence the construction project work and safety and security enhancements within the referenced right-of-way of North 9th Street and East Broad Street prior to the execution of a deed of easement or other proper instruments, if deemed necessary by DGS to avoid delay in the implementation of the construction project work or safety and security enhancements.

~~B. Pursuant to projects authorized and funded in paragraph E.1. of Item C-39.40 of Chapter 1 of the Acts of Assembly of 2014, operations of the Virginia General Assembly have temporarily moved and now operate from the Pocahontas Building bounded by the following streets 9th to the west, 10th to the east, Bank to the north, and Main to the south in the City of Richmond. This temporary move has resulted in the Commonwealth's legislative activities to be concentrated in an area requiring traffic and pedestrian operational safety and security enhancements. As such, and pursuant to the responsibilities of the Department of General Services (DGS) (§ 2.2-1129) and the Division of Capitol Police (DCP) (§ 30-34.2:1), Bank Street from 9th to 12th Street in the City of Richmond shall be controlled by the DGS and the DCP year round while General Assembly operations are located, and conducted, in the Pocahontas Building. Vehicular travel limitations and pedestrian management needs on and along Bank Street shall be determined jointly by the DGS and the DCP during this time. These determinations will be based on the recommendations outlined in the Bank Street Safety and Security Assessment prepared by Commonwealth Architects dated February 15, 2017 (the Assessment). Funding for materials and contract services needed to address pedestrian and vehicle management activities are available to DGS from the Chapter referenced in this item. 2. At no time, will DGS or DCP make permanent changes to Bank Street right-of-way (e.g.~~

traffic control devices, security fixtures, street lighting, surface treatments) without the approval of the City of Richmond's Chief Administrative Officer. Additionally, at no time will the City prevent DGS and DCP from implementing and maintaining the recommendations outlined in the Assessment. Bank Street operations, as described in paragraph A, will remain under the control of DGS and DCP year-round until control of Bank Street 1 reverts to the City of Richmond upon the General Assembly, and its operations, vacating the Pocahontas Building, and the General Assembly, with approval of the Governor, authorizing control of Bank Street back to the City of Richmond."

Explanation:

(This amendment modifies existing language having to do with Seat of Government security and resolves conflict between the two, in a companion amendment in Item 4-5.11.)

Item C-75 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 231, after line 17, insert:

"A. The Virginia Public Building Authority, pursuant to § 2.2-2260 et seq. of the Code of Virginia, is authorized to issue bonds in a principal amount not to exceed ~~\$194,901,500~~ \$206,401,500 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, to finance the capital costs of the projects described in paragraph C. of this item.

B. Debt service on bonds issued under the authorization in this item shall be provided from appropriations to the Treasury Board.

C. The appropriations for the following authorized projects are contained in the appropriation items listed:

Agency Name/Project Title	Project Code	Item	VPBA Bonds
Department of Military Affairs (123)			
Replace/Install Fire Safety Systems in Readiness Centers	18318	C-62	\$3,000,000
Department of State Police (156)			
Upgrade Statewide Radio System (STARS) Network	18414	C-56	\$80,000,000

Department of General Services (194)

Renovate and Repair Fort Monroe	18191	C-1	\$17,800,000
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Department of Conservation and Recreation (199)

Make Critical Infrastructure Repairs and Residences at Various State Parks	18366	C-42	\$12,500,000 \$13,000,000
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Renovation of Existing Revenue Generating Cabins	18490	C-46	\$16,158,000
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Virginia Museum of Fine Arts (238)

Repairs and Structural Issues	18503	C-36.50	\$2,750,000
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Marine Resources Commission (402)

Oyster Reef Restoration	18479	C-54	\$10,000,000
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Department for the Blind and Vision Impaired (702)

Improve campus infrastructure	18488	C-39	\$1,223,500
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Department of Behavioral Health and Developmental Services (720)

Address patient and staff safety issues at state facilities	18365	C-38	\$7,600,000
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Make infrastructure repairs to state facilities	18307	C-37	\$13,870,000
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Virginia Commercial Space Flight Authority (509)

Accomack Regional Airport Hangar	18504	C-61.50	\$1,000,000
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Central Capital Outlay (949)

Virginia Beach Improve Access	18505	C-72.10	\$10,000,000
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Department of Corrections (799)

DOC Capital Infrastructure Fund	18480	C-55	\$30,000,000
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Total VPBA Bonds			\$194,901,500
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\$206,401,500".

Explanation:

(This amendment makes technical corrections to the VPBA table.)

Item 3-1.01 #1c

Transfers

Interfund Transfers

Language

Language:

Page 233, line 2, strike "Not set out." and insert:

"KK. On or before June 30, 2021, the State Comptroller shall transfer to the general fund an amount estimated at \$275,000 from the Special Fund balances of the Commission on the Virginia Alcohol Safety Action Program."

Explanation:

(This amendment transfers nongeneral fund balances from the Virginia Alcohol Safety Action Program to the general fund. Upon enrolling, Item 3-1.01 will be set out and enrolled appropriately.)

Item 3-1.01 #2c

Transfers

Interfund Transfers

Language

Language:

Page 234, set out Item § 3-1.01, and after paragraph JJ., insert:

"KK. On or before June 30, 2021, the State Comptroller shall transfer to the general fund, the balance of the Aerospace Manufacturer Workforce Training Grant Fund estimated at \$1,203,000."

Explanation:

(This amendment transfers the balance of the Aerospace Manufacturer Workforce Training Grant Fund to the general fund. Upon enrolling, Item § 3-1.01 will be set out and enrolled appropriately.)

Item 3-1.01 #3c

Transfers

Interfund Transfers

Language

Language:

Page 233, set out Item § 3-1.01.
Item § 3-1.01, Paragraph 2.a., strike "\$125,100,000" and insert "\$136,200,745".

Explanation:

(This is a technical amendment to increase the transfer of Alcoholic Beverage Control Authority net profits in fiscal year 2021 by \$11.1 million, to reflect the accrual-based transfer to the general fund of excess fiscal year 2020 Q4 profits deposited in the general fund in Q1 of fiscal year 2021. This amendment is to an item not set out in the Governor's introduced budget; it will be set out in the enrolling process.)

Item 3-1.01 #4c

Transfers

Interfund Transfers

Language

Language:

Page 233, set out Item § 3-1.01.
Item § 3-1.01, Paragraph 2.a., strike "\$125,100,000" and insert "\$128,400,000".
Item § 3-1.01, Paragraph 2.a., strike "\$128,700,000" and insert "\$132,700,000".

Explanation:

(This amendment is to an item not set out in the governor's introduced budget; it will be set out in the enrolling process. This amendment increases the expected transfer to the general fund of Alcoholic Beverage Control Authority net profits by \$3.4 million in fiscal year 2021 and \$4.0 million in fiscal year 2022. These amounts are based upon higher than assumed growth in gross sales in fiscal year 2020, and assume annual growth in gross sales of 4.5 percent in each of fiscal year 2021 and fiscal year 2022.)

Item 3-4.01 #1c

Auxiliary Enterprises and Sponsored Programs in Institutions of Higher Education

Auxiliary Enterprise Investment Yields

Language

Language:

Page 234, after line 33, insert:
"4. a. Institutions of higher education shall have the authority to use available fund balances from other fund sources, to include educational and general program reserves, to support operations, increased costs or revenue reductions, for auxiliary enterprise programs for the

2020-2022 biennium. However, with the exception of transfer payments, educational and general program reserves may not be used to directly support intercollegiate athletics.

b. Any use of available fund balances pursuant to these temporary provisions shall be subject to approval by the Board of Visitors of the institution, provided that the Board has also reviewed the measures of financial status included in the most recent Auditor of Public Account Higher Education Comparative Report. Prior to any transfer, the institution shall provide the approval resolution to the Chairs the House Appropriations and Senate Finance and Appropriations Committees."

Explanation:

(This amendment provides additional flexibility for the use of fund balances to address expenses related to the COVID-19 pandemic.)

Item 4-0.01 #1c

Operating Policies

Operating Policies

Language

Language:

Page 237, strike line 2, and insert:

"g. 1. Notwithstanding any other provision of law, any public body, including any state, local, regional, or regulatory body, or a governing board as defined in § 54.1-2345 of the Code of Virginia, *or any joint meeting of such entities*, may meet by electronic communication means without a quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; (ii) the purpose of meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body or common interest community association as defined in § 54.1-2345 of the Code of Virginia and the discharge of its lawful purposes, duties, and responsibilities; (iii) a public body shall make available a recording or transcript of the meeting on its website in accordance with the timeframes established in §§ 2.2-3707 and 2.2-3707.1 of the Code of Virginia; and (iv) the governing board shall distribute minutes of a meeting held pursuant to this subdivision to common interest community association members by the same method used to provide notice of the meeting.

2. A public body or governing board convening a meeting in accordance with this subdivision shall:

a) Give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body or governing board

conducting the meeting;

b) Make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable, videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment; and

3. Public bodies must otherwise comply with the provisions of § 2.2-3708.2 of the Code of Virginia. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the public body or governing board."

Explanation:

(This amendment sets out Item 4-0.01 and modifies the language to include joint meetings of public entities on the list of entities that can meet remotely during a state of emergency. Upon enrolling, Item 4-0.01 will be set out and enrolled appropriately.)

Item 4-0.01 #2c

Operating Policies

Operating Policies

Language

Language:

Page 237, strike line 2, and insert:

"§ 4-0.01 OPERATING POLICIES

- a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.
- b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.
- c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.
- d. Public higher education institutions are not subject to the provisions of § 2.2-4800, Code of Virginia, or the provisions of the Department of Accounts' Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of outstanding accounts receivable.
- e. The provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia) shall not apply to grants made in support of the 2019 Commemoration to non-profit entities organized under § 501 (c)(3) of the Internal Revenue Code.

f. 1. The State Council of Higher Education for Virginia shall establish a policy for granting undergraduate course credit to entering freshman students who have taken one or more Advanced Placement, Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate examinations by August 1, 2017. The policy shall:

- a) Outline the conditions necessary for each public institution of higher education to grant course credit, including the minimum required scores on such examinations;
- b) Identify the course credit or other academic requirements of each public institution of higher education that the student satisfies by achieving the minimum required scores on such examinations; and
- c) Ensure, to the extent possible, that the grant of course credit is consistent across each public institution of higher education and each such examination.

2. The Council and each public institution of higher education shall make the policy available to the public on its website.

g. 1. Notwithstanding any other provision of law, any public body, including any state, local, regional, or regulatory body, or a governing board as defined in § 54.1-2345 of the Code of Virginia may meet by electronic communication means without a quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; (ii) the purpose of meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body or common interest community association as defined in § 54.1-2345 of the Code of Virginia and the discharge of its lawful purposes, duties, and responsibilities; (iii) a public body shall make available a recording or transcript of the meeting on its website in accordance with the timeframes established in §§ 2.2-3707 and 2.2-3707.1 of the Code of Virginia; and (iv) the governing board shall distribute minutes of a meeting held pursuant to this subdivision to common interest community association members by the same method used to provide notice of the meeting.

2. A public body or governing board convening a meeting in accordance with this subdivision shall:

- a) Give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body or governing board conducting the meeting;
- b) Make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable, videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment; and

3. Public bodies must otherwise comply with the provisions of § 2.2-3708.2 of the Code of Virginia. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the public body or governing board.

h. Notwithstanding § 2.2-1510 B., Code of Virginia, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, during a state of emergency as declared by the Governor, shall hold at least one, but up to four, public hearings, on the budget bill the Governor submits for the 2021 Regular Session and may hold such hearings through electronic means, if deemed necessary, to ensure the safety of all participants."

Explanation:

(This amendment provides flexibility for the Chairs of the House Appropriations and Senate Finance and Appropriations Committees to determine how many budget hearings will be held on the Governor's proposed budget prior to the 2021 Regular Session and if such hearings will be through electronic means. The COVID-19 pandemic may require such hearings to be held online in an electronic format for the safety of all participants involved. This amendment provides temporary flexibility to determine the safest and most appropriate way to hear public comment on the budget during the pandemic.)

Item 4-5.11 #1c

Special Conditions and Restrictions on Expenditures

Seat of Government Traffic and Pedestrian Safety

Language

Language:

Page 238, line 16, strike "Not set out." and insert:
 Amendment drawn to Chapter 1289

Page 650, strike Section 4-5.11 and insert:

"§ 4-5.11 SEAT OF GOVERNMENT TRAFFIC AND PEDESTRIAN SAFETY

In order to implement and maintain traffic and pedestrian operational safety and security enhancements and secure the seat of government, the Commonwealth Transportation Board shall, not later than January 1, 2020, add to the state primary highway system, pursuant to § 33.2-314, Code of Virginia, those portions of the rights-of-way located in the City of Richmond identified as Bank Street from 9th Street to 14th Street, 10th Street from Main Street to Bank Street, 12th Street from Main Street to Bank Street, and Governor Street from Main Street to Bank Street and, pursuant to the responsibilities of the Department of General Services (DGS) (§ 2.2-1129) and the Division of Capitol Police (DCP) (§ 30-34.2:1), DGS and DCP shall control those rights-of-way and pedestrian and vehicular traffic thereon. The rights-of-way so transferred shall be in addition to the 50 miles per year authorized to be transferred under § 33.2-314(A). *The City of Richmond shall transfer fee ownership of the rights-of-way identified*

in this section to DGS by deed or other instrument, as determined by DGS."

Explanation:

(This amendment modifies existing language to address the transfer of rights-of-way having to do with Seat of Government security and resolves conflict between the two, in a companion amendment in Item C-74.)

Item 4-8.01 #1c

Reporting Requirements

Governor

Language

Language:

Page 238, after line 24, insert:

"4. a) *Except for the reports required under Item 479.10 of this act, ~~Notwithstanding any other provision of law or of any provision of this Act,~~ the Governor may delay or defer the submission of any report or study that is required by the Code of Virginia or by this act of a state entity, including agencies, boards, commissions, and authorities, and that is due prior to June 30, 2021, if in the opinion of the Governor, meeting the reporting deadline is either not possible or is impractical due to impacts of the COVID-19 pandemic on the reporting entity. Reporting entities seeking approval of the Governor to grant such a delay must submit a written request to the Governor no less than 30 days prior to the reporting deadline. Upon receiving approval from the Governor, the reporting entity shall provide the parties designated to receive the report with notice of an approved delay. This notice shall be in lieu of the required report until such time as the required report is submitted. Any report receiving approval for delayed submission shall be submitted as soon as the reporting entity can resume normal business operations and can complete the work necessary to compile the report; however, no report shall be submitted later than 12 months from the original reporting requirement.*

b) The Governor may establish guidelines for the submission and approval process described in paragraph a) above."

Explanation:

(This amendment makes technical adjustments to reporting requirements.)

Item 4-14 #1c

Effective Date

Effective Date

Language

Language:

Page 241, strike lines 1 through 20, and insert:

"7.a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17, Code of Virginia, in response to a communicable disease of public health threat as defined in § 44-146.16, Code of Virginia, electric companies subject to regulation of the State Corporation Commission ("Commission"), natural gas suppliers subject to the regulation of the Commission, electric and gas municipal utilities, and water suppliers and wastewater service providers, subject to the regulation of Commission or constituting a municipal utility ("utilities") are prohibited from disconnecting service to residential customers for non-payment of bills or fees until the Governor determines that the economic and public health conditions have improved such that the prohibition does not need to be in place, or until at least 60 days after such declared state of emergency ends, whichever is sooner. "Municipal utility" means a utility providing electric, gas, or water or wastewater service that is owned or operated by a city, county, town, authority, or other political subdivision of the Commonwealth. The utilities shall notify all customers who are at least 30 days in arrears of this utility disconnection moratorium, which may be by bill insert or bill notice.

b. No more than 60 days after the enactment of this act, the utilities shall notify all customers who are at least 30 days in arrears of the COVID-19 Relief Repayment Plan (Repayment Plan), which may be by bill insert or bill notice, such notice shall include eligibility, billing information, applicable financial assistance resources, and contact information where customers may file an initial complaint on Repayment Plan related disputes. All utilities within 60 days after the enactment of this act must offer customers a Repayment Plan for past due accounts while the universal prohibition on service disconnections is in effect that includes, at minimum, the following provisions:

1. The Repayment Plan shall not require any new deposits, down payments, fees, late fees, interest charges, or penalties, nor shall such plan accrue any fees, interest, or penalties, including prepayment penalties;
2. The Repayment Plan shall amortize the repayment of a customer's utility debt over a minimum period of 6 months and up to 24 months for each utility. The utility will work with the customer to establish a Repayment Plan that meets the requirements of this clause 7.b. and that the customer determines is sustainable and affordable for them. A customer may satisfy the Repayment Plan in part or in full at any time; and
3. The utilities shall not apply eligibility criteria, such as installment plan history. However, the utilities may require the customer to attest to the utility or to a third party chosen by the utility that the customer has experienced a financial hardship resulting directly or indirectly from the public health emergency or that they have experienced a hardship to pay during the public health emergency.
4. If a utility reports to a consumer reporting agency or debt collector regarding a consumer who is on a Repayment Plan, the utility shall report the account as "current" in accordance with the Public Law 116-136: Coronavirus Aid, Relief, and Economic Security Act. If the provisions of

Public Law 116-136: Coronavirus Aid, Relief, and Economic Security Act expire prior to the end of the universal moratorium established in clause 7.a., the utility may only resume reporting any default on the Repayment Plan at the end of the universal moratorium established in clause 7.a.

5. However, no utility that has received an order exempting it from the provisions of this clause 7.a. shall disconnect from service a customer who is making timely payments under the Repayment Plan at the time of the order and until such time as a customer ceases to make timely payments under the Repayment Plan. A utility that has received an order exempting it from the provisions of this clause 7.a. shall attempt to establish a Repayment Plan with its customers prior to any disconnection of service.

c. Nothing herein shall limit or prevent the utilities or the residential customers from applying or seeking debt relief or mitigation from any available resource, from entering into another payment plan offered by the utility, or from renegotiating the terms of the Repayment Plan.

d. In accordance with the provisions of Item 479.10, paragraph B.5. of this act, utilities shall use any funding allocated from the federal Coronavirus Relief Funds of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) to provide direct subsidy payments on behalf of customers whose accounts are over 30 days in arrears, provided such use meets eligibility requirements pursuant to United States Department of the Treasury guidance. In applying these funds to customer accounts, utilities shall prioritize providing financial assistance to customers who are over 60 days in arrears prior to using the funds to assist customers with accounts 31 to 60 days in arrears. To the extent possible, utilities shall use available funding to cover one-hundred percent of the customer's arrearage.

In addition to the funds provided in Item 479.10, paragraph B.2. of this act, where applicable, utilities must accept financial assistance from other utility assistance programs funded with federal Coronavirus Relief Funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) for customers who are at least 30 days in arrears. To the extent possible, utilities must direct customers in writing to these resources when establishing a Repayment Plan.

e. Notwithstanding anything to the contrary in this clause 7 or any other provision of law, if a utility subject to regulation of the Commission has accounts receivable arrearages for Virginia customers that exceed 2% of an investor-owned electric utility's, or 1% of any other utility's, annual Virginia jurisdictional operating revenues, then the utility may obtain relief from the moratorium established in clause 7.a. by filing an informational letter notice with the clerk of the Commission, stating such facts to demonstrate the exceedance and contemporaneously tendering associated workpapers to the staff of the Commission. The Commission staff shall verify the information as filed by the utility and shall file a verification letter with the Clerk of the Commission. The Commission, upon receipt of a favorable verification letter, shall issue a final order within five days. Upon issuance of an order, a utility shall thereafter be exempt from the moratorium provisions of this clause 7.a.

f. Notwithstanding anything to the contrary in this clause 7 or any other provision of law, if a

utility subject to this clause 7 but not subject to regulation of the Commission has accounts receivable arrearages that exceed 1% of the utility's annual operating revenues, then the utility may obtain relief from the moratorium established in clause 7.a. if (i) the utility provides a written analysis stating such facts to demonstrate the exceedance to staff of the governing body, (ii) the utility contemporaneously makes available for public inspection associated workpapers verifying such facts to staff of the governing body, and (iii) the governing body verifies the exceedance, provides public notice, takes public comment on, and votes to approve that the exceedance is accurate in an open public meeting. In the event of an affirmative vote of the utility's governing body, the utility shall thereafter be exempt from the moratorium provisions of this clause 7.a.

g. The Commission shall allow for the timely recovery of bad debt obligations, reasonable late payment fees suspended, and prudently incurred implementation costs resulting from a Repayment Plan for electric, gas, water, or wastewater utilities, including through a rate adjustment clause or through base rates, however, the Commission shall exclude from recovery all costs associated with any jurisdictional customer balances forgiven by a Phase II utility pursuant to paragraph j. below. The Commission may apply any applicable earnings test in the Commission rules governing utility rate applications and annual informational filings when assessing the recovery of such costs. The Commission shall also require the utilities subject to regulation by the Commission to submit information on the status of customer accounts, including (a) the number and value of outstanding aged account balances, categorized by customer type; (b) the number and value of associated collections from customers, categorized by customer type; (c) the number and value of associated additions to aged accounts receivable balances, categorized by customer type; (d) the number and value of aged accounts receivable balances, net of collections and additions; (e) the number, total value, and average debt of accounts that are participating in the Repayment Plan, or another repayment plan as set forth by the utility; (f) the number of accounts removed from the Repayment Plan, or another repayment plan as set forth by the utility, categorized by reason; (g) the amount of and average debt still remaining for customer accounts removed from the Repayment Plan or another repayment plan as set forth by the utility; (h) the carrying costs of the debt for accounts participating in a repayment plan and any associated administrative costs incurred; (i) the number, total value, and average debt of customer accounts receiving direct assistance by the funds provided in Item 479.10, paragraph B.2. of this act, categorized by days in arrears and customer account type; (j) the cumulative level of customer arrearages by locality; and (k) any cost recorded as regular asset authorized by that certain order of the Commission in Case Number PUR-2020-00074. The Commission shall provide the Chairs of the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade an aggregated anonymized report by utility containing such compiled information by December 31, 2020, within 90 days of the expiration of the universal prohibition established in clause 7.a., and annually, on or before December 31st, thereafter for the following two years. The report due on December 31, 2020 shall cover the period from March 16, 2020 through December 15, 2020. The report due within 90 days of the end of the universal prohibition established in clause 7.a. shall cover the period

from December 16, 2020 to the end of the universal prohibition established in clause 7.a. Annual reports shall cover the period from the end of the universal prohibition established in clause 7.a. to December 16th of the year the report is due.

h. Utilities not subject to regulation by the Commission shall submit information on the status of customer accounts to the Commission on Local Government managed by the Department of Housing and Community Development, including (a) the number and value of accounts that are at least 30 days in arrears; (b) the number and value of accounts that are at least 60 days in arrears; (c) the number, total value, and average debt of accounts that are participating in the Repayment Plan, or another repayment plan as set forth by the utility; (d) the number of accounts removed from the Repayment Plan, or another repayment plan as set forth by the utility, categorized by reason; (e) the amount of and average debt still remaining for accounts removed from the Repayment Plan or another repayment plan as set forth by the utility; (f) the carrying costs of the debt for accounts participating in a repayment plan and any associated administrative costs incurred; (g) the number, total value, and average debt of accounts offset by the funds provided in Item 479.10, paragraph B.2. of this act and local programs using Coronavirus Relief Funds, categorized by days in arrears, customer account type, and Coronavirus Relief Fund type; and, (h) the cumulative level of customer arrearages by locality. The Commission on Local Government shall provide the Chairs of the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade an aggregated anonymized report by utility containing such compiled information by December 31, 2020, within 90 days of the expiration of the universal prohibition established in clause 7.a., and annually, on or before December 31st, thereafter for the following two years. The report due on December 31, 2020 shall cover the period from March 16, 2020 through December 15, 2020. The report due within 90 days of the end of the universal prohibition established in clause 7.a. shall cover the period from December 16, 2020 to the end of the universal prohibition established in clause 7.a. Annual reports shall cover the period from the end of the universal prohibition established in clause 7.a. to December 16th of the year the report is due.

i. The reports required in paragraphs g. and h. of this clause 7 are not eligible for deferral or delay as permitted under Item 4-8.01, a.4.a. of this act.

j. Within 60 days after the enactment of this act, a Phase II Utility shall forgive all such utility's jurisdictional customer balances more than 30 days in arrears as of September 30, 2020.

1. In the utility's 2021 triennial review, any forgiven amounts shall be excluded from the utility's cost of service for purposes of determining any test period earnings and determining any future rates of the utility. In determining any customer bill credits, in the utility's 2021 triennial review, the Commission shall first offset any forgiven amounts against the total earnings for the 2017 through 2020 test periods that are determined to be above the utility's authorized earnings band. Such offset shall be made prior to any offset to customer bill credits by customer credit reinvestment offsets.

2. Each Phase II Utility shall, no later than December 31, 2020, submit a report to the Governor,

the Chairs of the House Committees on Labor and Commerce and Appropriations, and the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Chair of the Commission on Electric Utility Regulation, detailing all actions by it pursuant to this act to forgive customer balances."

Explanation:

(This amendment outlines a policy to extend Virginia's moratorium on utility disconnections.)

Item 4-14 #2c

Effective Date

Language

Language:

Page 241, strike lines 21 through 48.

Page 242, strike lines 1 through 6, and insert:

"8.a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, no landlord shall terminate a residential tenancy, or take any action to obtain possession of a dwelling unit, for non-payment of rent through December 31, 2020, unless such eligible tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program. Such landlords and tenants must also comply with the following:

1. For an owner who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, if rent is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the total amount due and owed. The written notice shall also inform the tenant that if the tenant provides to the landlord a signed statement certifying that the tenant has experienced additional expenses or a loss of income due to the declared state of emergency, the tenant may, but is not required to, enter into a payment plan under which the tenant shall be required to pay the total amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement. The total amount due and owed under a payment plan shall not include any late fees, and no late fees shall be assessed during any time period in which a tenant is making timely payments under a payment plan. If the tenant fails to pay in full, enter into a written payment plan with the landlord, or pay any installment required by the plan, the landlord may not terminate the tenancy nor take any action to obtain possession of the dwelling unit until the provisions of subsection 8.b. are effectuated on January 1, 2021. However, during the time the provisions of this subsection 8.a. are in effect, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251 in the event that the

tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program, as described in subsection 8.a.2. below. Nothing in this subsection shall preclude a tenant from availing himself of any other rights or remedies available to him under the law, nor shall the tenant's eligibility to participate or participation in any rent relief program offered by a nonprofit organization or under the provisions of any federal, state, or local law, regulation, or action prohibit the tenant from taking advantage of the provisions of this subsection.

2. If rent is unpaid when due, or if a payment under the terms of a payment plan is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the Virginia Rent and Mortgage Relief Program and information on how to reach 2-1-1 Virginia to determine any additional federal, state, and local rent relief programs. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent will apply for rental assistance with the Virginia Rent and Mortgage Relief Program on behalf of the tenant, or the landlord will cooperate with the tenant's application for rental assistance with the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, by providing required documentation for such application, including the W-9 IRS form and any supporting affidavit. If the tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251 for non-payment of rent, during such time the provisions of 8.a. are in effect. Before January 1, 2021, a landlord may not terminate a tenancy nor take action to obtain possession of a dwelling unit based solely on failure to receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program. After the provisions of subsection 8.b. are effectuated on January 1, 2021, the landlord may terminate the tenancy or take action to obtain possession of the dwelling unit based on failure to receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, but only in compliance with the applicable provisions of subsection 8.b.3. For any application by the owner, landlord, owner's licensed agent, or the tenant to the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, the administrator of the Virginia Rent and Mortgage Relief Program or the administrator of any other federal, state, or local rent relief program shall work diligently to process such application within fourteen days of submission of such application.

b. Beginning January 1, 2021, notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, no landlord shall terminate a residential tenancy, or take any action to obtain possession of a dwelling unit, for non-payment of rent due to lost income or additional expenses resulting from the declared state of emergency until such time the declared state of emergency ends, except as follows:

1. For an owner who owns four or fewer rental dwelling units in the Commonwealth, if rent is unpaid when due and the tenant fails to pay rent within fourteen days after written notice is served on him, pursuant to § 55.1-1202, notifying the tenant of his nonpayment and of the landlord's intention to obtain possession of the premises if the rent is not paid within the fourteen-day period, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that the landlord also complies with subsection 3. below.

2. For an owner who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, if rent is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the total amount due and owed. The written notice shall also inform the tenant that if the tenant provides to the landlord a signed statement certifying that the tenant has experienced additional expenses or a loss of income due to the declared state of emergency, the tenant may, but is not required to, enter into a payment plan under which the tenant shall be required to pay the total amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement. The total amount due and owed under a payment plan shall not include any late fees, and no late fees shall be assessed during any time period in which a tenant is making timely payments under a payment plan. The written notice shall also inform the tenant that if the tenant fails to either pay the total amount due and owed or enter into the payment plan offered, or an alternative payment arrangement acceptable to the landlord, within fourteen days of receiving the written notice from the landlord, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If the tenant fails to pay in full or enter into a written payment plan with the landlord within fourteen days of when the notice is served on him, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that the landlord also complies with subsection 3. below. If the tenant enters into a payment plan and, after the plan becomes effective, fails to pay any installment required by the plan within fourteen days of its due date, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251, provided that he has sent the tenant a new notice, pursuant to § 55.1-1202, advising the tenant of the landlord's intention to obtain possession of the premises unless the tenant pays the total amount due and owed as stated on the notice within fourteen days of receipt and provided that the landlord complies with subsection 3. below. The option of entering into a payment plan or alternative payment arrangement pursuant to this subdivision may only be utilized once during the time period of the rental agreement. Nothing in this subsection shall preclude a tenant from availing himself of any other rights or remedies available to him under the law, nor shall the tenant's eligibility to participate or participation in any rent relief program offered by a nonprofit organization or under the provisions of any federal, state, or local law, regulation, or action prohibit the tenant from taking advantage of the provisions of this subsection.

3. If rent is unpaid when due, or if a payment under the terms of a payment plan is unpaid when due, the landlord shall serve upon the tenant, pursuant to § 55.1-1202, a written notice informing the tenant of the Virginia Rent and Mortgage Relief Program and information on how

to reach 2-1-1 Virginia to determine any additional federal, state, and local rent relief programs. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent will apply for rental assistance with the Virginia Rent and Mortgage Relief Program on behalf of the tenant, or the landlord will cooperate with the tenant's application for rental assistance with the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, by providing required documentation for such application, including the W-9 IRS form and any supporting affidavit. Unless the tenant has communicated to the landlord that they are applying for rental assistance funds, the landlord shall apply for rental assistance on behalf of the tenant to the Virginia Rent and Mortgage Relief program, or another federal, state, or local rental assistance program no later than fourteen days from the time the written notice is served. If the tenant refuses to apply for rental assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program, or with another federal, state, or local rent relief program, the landlord may take action to obtain possession of a dwelling unit for non-payment of rent as provided in § 55.1-1251. If the landlord or the tenant does not receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program within forty-five days of when the application for assistance is made by the tenant or the landlord, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. For any subsequent application by the owner, landlord, owner's licensed agent, or the tenant to the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program, the administrator of the Virginia Rent and Mortgage Relief Program or the administrator of any other federal, state, or local rent relief program shall work diligently to process such application within fourteen days of submission of such application. If the landlord or tenant does not receive written approval from the Virginia Rent and Mortgage Relief program or any other federal, state, or local rent relief program within fourteen days of submission of the subsequent application, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If the tenant does not qualify for the Virginia Rent and Mortgage Relief Program or any other federal, or state rent relief program, or there are no longer funds available from these sources, then the provisions of this subsection, 8.b.3. do not apply.

c. If a landlord reports to a consumer reporting agency or debt collector regarding a tenant who is participating in the repayment plan or receiving assistance from a federal, state, or local rent relief program, the landlord shall report the account as "current" in accordance with the Public Law 116-136: Coronavirus Aid, Relief, and Economic Security Act.

d. If a tenant is complying with a written payment plan with the landlord or has resolved any non-payment of rent, the landlord cannot take any action to obtain possession of a dwelling unit for non-payment of rent.

e. Nothing in this section relieves either the landlord or the tenant from their obligations to maintain the dwelling as those obligations are set forth in Article 2 and Article 3 of Chapter 12 of Title 55.1.

f. Nothing in this section shall void any judgment for possession validly obtained by a landlord

prior to the effective date of this section; however, the court shall not issue a writ of execution thereunder, following the effective date, unless it complies with the provisions of this Section 8."

Explanation:

(This amendment replaces the eviction moratorium language included in the Governor's proposed budget, and establishes the terms by which a landlord may evict a tenant for nonpayment. For owners with more than four dwelling units, requires that the landlord provide written notice informing the tenant of the total amount due and owed; and inform the tenant that if the tenant provides a signed statement certifying that the tenant has experienced expenses or a loss of income due to the declared state of emergency, the tenant may enter into a payment plan and amortize the amount owed over the lesser of six months or the remainder of lease term. If the tenant fails to pay in full, enter into a payment plan, or pay any installment required by the plan, the landlord may proceed to obtain possession of the premises beginning January 1, 2021 provided certain other conditions are met, including notifying the tenant of the availability of rental assistance. For owners with four or fewer dwelling units, if rent is unpaid when due and the tenant fails to pay rent within fourteen days after written notice is served on him, the landlord may proceed to obtain possession of the premises beginning January 1, 2021, as long as the landlord meets certain other conditions, including notifying the tenant of the availability of rental assistance. The amendment also provides that if a tenant refuses to apply for rental assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program, the landlord can take action on or before December 31, 2020, to obtain possession of a dwelling unit for non-payment of rent.)

On motion of Senator Howell, the joint conference committee report was agreed to.

The recorded vote is as follows:
YEAS--23. NAYS--15. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell, Vogel--23.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Suetterlein--15.

RULE 36--0.

STATEMENTS ON VOTE

Senator Deeds stated that he was abstaining pursuant to Rule 36 on Item 4-14 #1c, but voting on the conference committee report on **H.B. 5005** as a whole.

Senator Lewis stated that he was abstaining pursuant to Rule 36 on Item 3-1.01 FF, but voting on the conference committee report on **H.B. 5005** as a whole.

Senator Locke stated that she was abstaining pursuant to Rule 36 on Item 303, but voting on the conference committee report on **H.B. 5005** as a whole.

Senator Lucas stated that she was abstaining pursuant to Rule 36 on Item 313 #9c, Item 482.20 #28c, and Item 482.20 #29c, but voting on the conference committee report on **H.B. 5005** as a whole.

Senator McClellan stated that she was abstaining pursuant to Rule 36 on Item 114 and Item 479.10 #2c, but voting on the conference committee report on **H.B. 5005** as a whole.

Senator McPike stated that he was abstaining pursuant to Rule 36 on Item 385 and Item C-70, but voting on the conference committee report on **H.B. 5005** as a whole.

Senator Norment stated that he was abstaining pursuant to Rule 36 on Item 313, but voting on the conference committee report on **H.B. 5005** as a whole.

Senator Surovell stated that he was abstaining pursuant to Rule 36 on Item 135 #3c and Item 374, but voting on the conference committee report on **H.B. 5005** as a whole.

Senator Hanger stated that he wished to be recorded as voting nay on the question of agreeing to Item 299, Item 301, and Item 302 of the conference committee report on **H.B. 5005**.

H.B. 5043 (five thousand forty-three) was taken up and, on motion of Senator McPike, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--26. NAYS--12. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Suetterlein, Surovell, Vogel--26.

NAYS--Chafin, Chase, Cosgrove, DeSteph, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley--12.

RULE 36--0.

S.B. 5007 (five thousand seven), was taken up and, on motion of Senator Morrissey, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--22. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Stanley, Surovell--22.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougale, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Suetterlein, Vogel--16.

RULE 36--0.

Senator McPike, for the committee of conference on **S.B. 5038** (five thousand thirty-eight), presented the following report:

JOINT CONFERENCE COMMITTEE REPORT

on Senate Bill No. 5038

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 5038, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Jeremy S. McPike

/s/ Senator Jennifer L. McClellan

Senator Richard H. Stuart

Conferees on the part of the Senate

/s/ Delegate Jeffrey M. Bourne

/s/ Delegate Patrick A. Hope

/s/ Delegate Terry G. Kilgore

Conferees on the part of the House

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 5038

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 16, consisting of a section numbered 9.1-193, and by adding a section numbered 37.2-311.1, relating to response to mental health crises; establishment of the mental health awareness response and community understanding services (Marcus) alert system.

On motion of Senator McPike, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--25. NAYS--13. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Suetterlein, Surovell--25.

NAYS--Chafin, Chase, Cosgrove, DeSteph, McDougle, Newman, Norment, Obenshain, Peake, Reeves, Ruff, Stanley, Vogel--13.

RULE 36--0.

MEMORIAL RESOLUTIONS

S.R. 566 (five hundred sixty-six), on motion of Senator Deeds, was ordered to be engrossed and was agreed to by a unanimous standing vote.

S.R. 567 (five hundred sixty-seven), on motion of Senator Ebbin, was ordered to be engrossed and was agreed to by a unanimous standing vote.

RECESS

At 5:55 p.m., Senator Saslaw moved that the Senate recess until 6:20 p.m.

The motion was agreed to.

The hour of 6:20 p.m. having arrived, the Chair was resumed.

SECOND CONFERENCE COMMITTEE REPORT

Senator Barker, for the second committee of conference on **H.B. 5106** (five thousand one hundred six), presented the following report:

SECOND JOINT CONFERENCE COMMITTEE REPORT

on House Bill No. 5106

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 5106, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Joshua G. Cole

/s/ Delegate David L. Bulova

Delegate James W. Morefield

Conferees on the part of the House

/s/ Senator George L. Barker

/s/ Senator Adam P. Ebbin

Senator Bryce E. Reeves

Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 5106

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to landlord and tenant, noncompliance with rental agreement; prohibition on using negative credit information arising from the COVID-19 pandemic against tenants or applicants for tenancy; penalty.

On motion of Senator Barker, the second joint conference committee report was agreed to.

The recorded vote is as follows:
YEAS--22. NAYS--14. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Reeves, Saslaw, Spruill, Surovell--22.

NAYS--Chafin, Cosgrove, DeSteph, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Petersen, Ruff, Stanley, Suetterlein--14.

RULE 36--0.

RECESS

At 7:10 p.m., Senator Saslaw moved that the Senate recess until 7:15 p.m.

The motion was agreed to.

The hour of 7:15 p.m. having arrived, the Chair was resumed.

HOUSE COMMUNICATION

The following communication was received and read:

In the House of Delegates
October 16, 2020

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORT OF THE COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

S.B. 5007. A BILL to amend and reenact §§ 19.2-257, 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3 of the Code of Virginia, relating to criminal cases; sentencing reform.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORT OF THE COMMITTEE OF CONFERENCE ON THE FOLLOWING HOUSE BILL:

H.B. 5005. A BILL to amend and reenact Chapter 1289 of the 2020 Acts of Assembly, which appropriated funds for the 2020-22 Biennium and provided a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2021, and the thirtieth day of June, 2022.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORT OF THE SECOND COMMITTEE OF CONFERENCE ON THE FOLLOWING HOUSE BILL:

H.B. 5106. A BILL to amend and reenact § 55.1-1245 of the Code of Virginia, relating to landlord and tenant, noncompliance with rental agreement; prohibition on using negative credit information arising from the COVID-19 pandemic against tenants or applicants for tenancy; penalty; emergency.

/s/ Suzette Denslow
Clerk of the House of Delegates

LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

October 16, 2020

H.B. 5049. An Act to amend and reenact §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding a section numbered 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3, 19.2-83.4, and 19.2-83.5, relating to acquisition and use of military property by law-enforcement agencies.

H.B. 5050. An Act to amend and reenact §§ 2.2-4343 and 44-146.17 of the Code of Virginia, relating to Emergency Services and Disaster Law; powers and duties of Governor; purchase of personal protective equipment during a disaster caused by a communicable disease of public health threat.

H.B. 5055. An Act to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight bodies.

H.B. 5064. An Act to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

H.B. 5068. An Act to amend and reenact § 8.01-512.4 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 34 a section numbered 34-28.3, relating to emergency relief payments exempt from creditor process; emergency.

EMERGENCY

H.B. 5099. An Act to amend and reenact § 19.2-56 of the Code of Virginia, relating to search warrants; provide notice of authority.

H.B. 5104. An Act to amend and reenact §§ 9.1-102, 15.2-1705, and 15.2-1709 of the Code of Virginia, relating to minimum qualifications for law-enforcement officer, etc.; disclosure of information.

H.B. 5148. An Act to amend and reenact § 53.1-202.3 of the Code of Virginia, relating to Department of Corrections; earned sentence credits.

S.B. 5018. An Act to amend the Code of Virginia by adding in Article 2 of Chapter 2 of Title 53.1 a section numbered 53.1-40.02, relating to conditional release of terminally ill prisoners.

S.B. 5030. An Act to amend and reenact §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding sections numbered 9.1-112.1 and 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3 through 19.2-83.7, relating to policing reform.

S.B. 5034. An Act to amend and reenact § 53.1-202.3 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2 of Chapter 2 of Title 53.1 a section numbered 53.1-40.02, relating to release of prisoners.

S.B. 5035. An Act to amend and reenact §§ 9.1-507 and 15.2-1507 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 6 of Title 9.1 a section numbered 9.1-601, relating to law-enforcement civilian oversight bodies.

S.B. 5081. An Act to amend the Code of Virginia by adding a section numbered 32.1-37.01, relating to outbreaks of communicable disease of public health threat; posting of information.

EMERGENCY

S.B. 5088. An Act to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

On motion of Senator McDougle, a leave of absence for the day was granted Senators Pillion and Stuart on account of pressing personal business.

RECESS

On motion of Senator Saslaw, the Senate recessed to reconvene by the call of the Chair of the Senate Committee on Rules with at least 48 hours' notice.

LEGISLATION SIGNED BY PRESIDING OFFICER SUBSEQUENT TO RECESS

Subsequent to the recess, the President of the Senate as required by Article IV, Section 11, of the Constitution, on the dates recorded below, signed the following bills that had been passed by both houses and duly enrolled:

October 29, 2020

H.B. 5005. An Act to amend and reenact Chapter 1289 of the 2020 Acts of Assembly, which appropriated funds for the 2020-22 Biennium and provided a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2021, and the thirtieth day of June, 2022.

October 30, 2020

H.B. 5043. An Act to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 16, consisting of a section numbered 9.1-193, and by adding a section numbered 37.2-311.1, relating to response to mental health crises; establishment of the mental health awareness response and community understanding services (Marcus) alert system.

H.B. 5106. An Act to amend and reenact § 55.1-1245 of the Code of Virginia, relating to landlord and tenant, noncompliance with rental agreement; prohibition on using negative credit information arising from the COVID-19 pandemic against tenants or applicants for tenancy; penalty.

S.B. 5007. An Act to amend and reenact §§ 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3 of the Code of Virginia, relating to criminal cases; sentencing reform.

S.B. 5038. An Act to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 16, consisting of a section numbered 9.1-193, and by adding a section numbered 37.2-311.1, relating to response to mental health crises; establishment of the mental health awareness response and community understanding services (Marcus) alert system.

Upon the call of the Chair of the Senate Committee on Rules with at least 48 hours' notice, the Senate reconvened at 3:00 p.m. on Monday, November 9, 2020.

On motion of Senator Lucas, the Senate adjourned until Monday, November 9, 2020, at 3:10 p.m.

A handwritten signature in black ink, appearing to read "J. Fairfax". The signature is fluid and cursive, with the first letter of each word being significantly larger and more prominent.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with many loops and flourishes.

Susan Clarke Schaar
Clerk of the Senate

MONDAY, NOVEMBER 9, 2020

The Senate met at 3:10 p.m. and was called to order by Lieutenant Governor Justin E. Fairfax.

The Honorable Siobhan S. Dunnivant, Twelfth Senatorial District, offered the following prayer:

God, thank You for the men and women who serve our country in leadership roles and for their families. Please provide our leaders with reminders each day of why they decided to dedicate their lives to public service and use that commitment to encourage them. Amen.

The Pledge of Allegiance to the Flag of the United States of America was led by Tara H. Perkinson, Chief Deputy Clerk, Senate Clerk's Office.

The roll was called and the following Senators answered to their names:

Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel.

A quorum was present.

On motion of Senator Howell, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--34. NAYS--5. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Saslaw, Spruill, Stuart, Surovell, Vogel--34.

NAYS--Deeds, DeSteph, McDougale, Petersen, Stanley--5.

RULE 36--0.

RECESS

At 3:20 p.m., Senator Norment moved that the Senate recess until 3:40 p.m.

The motion was agreed to.

The hour of 3:40 p.m. having arrived, the Chair was resumed.

CALENDAR**SENATE BILLS WITH GOVERNOR'S RECOMMENDATIONS**

S.B. 5029 (five thousand twenty-nine) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

October 21, 2020

TO: SENATE OF VIRGINIA
SENATE BILL NO. 5029

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 463, enrolled, after *section*
insert
, except that a law-enforcement officer may stop a vehicle if it displays no brake lights that meet the requirements set forth in subsection A
2. Line 509, enrolled, after *section*
insert
, except that a law-enforcement officer may stop a vehicle if it displays no lighted headlights during the time periods set forth in subsection A
3. Line 750, enrolled, after *vehicle*
strike
the remainder of line 750 and through *vehicle* on line 751

Sincerely,

/s/ Ralph S. Northam

The reading of the communication was waived.

Senator Lucas moved that **S.B. 5029** be amended in accordance with the recommendations of the Governor.

Senator McDougle requested that, pursuant to Senate Rule 31, there be a division of the amendments for consideration.

The question was put on amending **S.B. 5029** in accordance with amendments Nos. 1 and 2 of the Governor.

S.B. 5029 was amended in accordance with amendments Nos. 1 and 2 of the Governor.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--39.

NAYS--0.

RULE 36--0.

The question was put on amending **S.B. 5029** in accordance with amendment No. 3 of the Governor.

S.B. 5029 was amended in accordance with amendment No. 3 of the Governor.

The recorded vote is as follows:

YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--18.

RULE 36--0.

S.B. 5034 (five thousand thirty-four) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

October 28, 2020

TO: SENATE OF VIRGINIA
SENATE BILL NO. 5034

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 20, enrolled, after *18.2-40*
strike
or 18.2-45
2. At the beginning of line 155, enrolled
strike
December 1, 2022
insert
June 1, 2023
3. Line 163, enrolled, after **on**
strike
January
insert
July
4. Line 166, enrolled, after **on**
strike
January
insert
July
5. Line 181, enrolled, after **counseling**,
strike
and

6. Line 182, enrolled, after **abuse**

insert

, [a comma]

7. Line 182, enrolled, after **rehabilitative**

insert

, [a comma]

8. Line 182, enrolled, after **reentry**

strike

programs

insert

services

Sincerely,

/s/ Ralph S. Northam

The reading of the communication was waived.

S.B. 5034, on motion of Senator Boysko, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--22. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Cosgrove, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--22.

NAYS--Chafin, Chase, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--17.

RULE 36--0.

S.B. 5080 (five thousand eighty) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

October 21, 2020

TO: SENATE OF VIRGINIA

SENATE BILL NO. 5080

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. After line 465, enrolled

insert

3. That an emergency exists and this act is in force from its passage.

Sincerely,

/s/ Ralph S. Northam

The reading of the communication was waived.

S.B. 5080, on motion of Senator Barker, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--39.

NAYS--0.

RULE 36--0.

S.B. 5088 (five thousand eighty-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

October 28, 2020

TO: SENATE OF VIRGINIA
SENATE BILL NO. 5088

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 71, enrolled, after within
strike
five
insert
14

2. Line 73, enrolled, after within the
strike
five-day
insert
14-day

3. Line 78, enrolled, after *owed*
strike
the remainder of line 78 through *law* on line 79

4. After line 132, enrolled
insert

3. That an emergency exists and this act is in force from its passage.

Sincerely,

/s/ Ralph S. Northam

The reading of the communication was waived.

Senator Ebbin moved that **S.B. 5088** be amended in accordance with the recommendations of the Governor.

Senator Newman requested that, pursuant to Senate Rule 31, there be a division of the amendments for consideration.

The question was put on amending **S.B. 5088** in accordance with amendments Nos. 1 and 2 of the Governor.

S.B. 5088 was amended in accordance with amendments Nos. 1 and 2 of the Governor.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--37.

NAYS--Chase, DeSteph--2.

RULE 36--0.

The question was put on amending **S.B. 5088** in accordance with amendments Nos. 3 and 4 of the Governor.

S.B. 5088 was amended in accordance with amendments Nos. 3 and 4 of the Governor.

The recorded vote is as follows:

YEAS--22. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--22.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--17.

RULE 36--0.

RECONSIDERATION

Senator Cosgrove moved to reconsider the vote by which **S.B. 5034** (five thousand thirty-four) was amended in accordance with the recommendations of the Governor.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--39.

NAYS--0.

RULE 36--0.

S.B. 5034, on motion of Senator Boysko, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--18.

RULE 36--0.

HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates

November 9, 2020

THE HOUSE OF DELEGATES HAS AGREED TO AMENDMENTS NOS. 1, 3, 5, AND 7-10 IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR AND HAS PASSED BY FOR THE DAY AMENDMENTS NOS. 2, 4, AND 6 ON THE FOLLOWING HOUSE BILL:

H.B. 5005. An Act to amend and reenact Chapter 1289 of the 2020 Acts of Assembly, which appropriated funds for the 2020-22 Biennium and provided a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2021, and the thirtieth day of June, 2022.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow

Clerk of the House of Delegates

On motion of Senator Saslaw, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--30. NAYS--4. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chase, Cosgrove, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Pillion, Reeves, Ruff, Saslaw, Spruill, Stuart, Vogel--30.

NAYS--Deeds, DeSteph, McDougle, Peake--4.

RULE 36--0.

HOUSE BILL WITH GOVERNOR'S RECOMMENDATIONS

H.B. 5005 (five thousand five) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

November 5, 2020

TO: HOUSE OF DELEGATES

HOUSE BILL NO. 5005

I am grateful to the House of Delegates and the Senate of Virginia for your dedicated work leading to a budget that addresses the critical issues that we face during the COVID-19 pandemic. I approve the general purpose of this bill, but I am returning it with a request for the adoption of ten amendments.

These changes are important because the economic effects of COVID-19 remain unclear and much of its potential long-term impact will depend on events yet to come—such as the successful development and distribution of a vaccine—and possible changes to the pandemic response at the national level. Both of these critical next steps are profoundly uncertain right now. Amidst so much uncertainty at a national level, Virginians and our economy must remain vigilant and takes steps to maintain financial flexibility.

I am pleased that the budget you returned to me reflects general agreement with the plan I put forth to balance spending against a lower revenue forecast. We may have to revisit some of these decisions after the next revenue forecast is complete.

I am making one recommendation for additional one-time spending: I propose \$1 million to fund an independent investigation into the culture at the Virginia Military Institute. This is necessary to provide us with the facts needed to craft a path forward for the Institute. This budget amendment would reduce the unappropriated general fund balance from \$303.2 million to \$302.2 million.

I propose to eliminate capital spending for the Nimmo Parkway in Virginia Beach and a new airport hangar in Accomack. These projects need to go through Virginia's existing review processes that allocate funding to transportation projects. These public reviews allow for full transparency by weighing different transportation projects against each other, but these projects instead aim to "jump the line." They do not warrant special treatment, and they should face the same level of review as every other transportation project.

In addition to these three amendments, I also propose seven "language-only amendments" that are covered in the attachment.

This budget reflects the sentiment I expressed to you last spring as the pandemic took hold in the United States: “While these proposals present difficult decisions today, we may face tougher choices tomorrow.” This budget includes difficult but important actions that reflect many months of the pandemic behind us, and that prepare for much uncertainty ahead. While we may face tougher choices in the days ahead, the decisions we have made together in this budget place us on a course to manage our resources in a responsible manner. Even as we proceed with caution, we should celebrate the fact that this budget helps shape Virginia’s future with important investments in healthcare, in education, in our workforce, and more.

I thank you for your support and cooperation and I ask that you adopt these final recommendations.

Sincerely,

/s/ Ralph S. Northam

Amendment 1: Update to Covid Phase 3 to allow for temporary mask removal for the purpose of facials

Item 127

Commerce and Trade

Department of Professional and Occupational Regulation

Language

Language:

Page 46, strike lines 13 through 22, and insert:

“D. The COVID-19 Phase 3 or later Personal Care and Personal Grooming Services guidelines authorize any individual licensed to practice under Chapter 7 of Title 54.1 of the Code of Virginia to provide services effectively and safely. The guidelines may require enhanced safety precautions in the absence of a customer face covering, including requiring the licensee to wear a face shield and/or utilize some other similar barrier.”

Explanation:

(This amendment amends language to state that the applicable guidelines authorize the licensed individuals to practice safely and effectively, and may require enhanced safety precautions in the absence of a customer face covering.)

Amendment 2: COVID-19 Drug Research Development

Item 135

Commerce and Trade

Virginia Innovation Partnership Authority

Language

Language:

Page 54, strike lines 21-32 and insert:

“9.a. The VBHRC shall administer a one-time grant program designed to support the acceleration of clinical testing of pharmaceutical agents that address the COVID-19 pandemic, specifically a pharmaceutical agent directed at preventing or ameliorating the course of infection or the acute or long term symptoms of COVID-19. VBHRC shall consult with subject matter experts in the healthcare industry or academia to develop criteria for awarding funds provided in paragraph P.3. of this item to one or more qualifying grantees. At a minimum, these criteria must include: (i) the company is either headquartered in Virginia or has a clinical research facility in Virginia and the clinical activity is creating investment or jobs in Virginia; and (ii) the company is actively conducting Phase 1, 2, or 3 clinical trial of a pharmaceutical agent described above. In awarding these funds, the board of directors of the VBHRC may waive the requirements that (i) two of the participating institutions are actively and significantly involved in collaborating on the research, and (ii) funding be matched at least dollar-for-dollar by funding provided by private entities, foundations, and other governmental sources”.

Explanation:

(Amends language associated with the establishment of a one-time Virginia Biosciences Health Research Corporation grant program to support the acceleration of clinical testing of a therapeutic drug that treats clinical symptoms caused by COVID-19 to expand the criteria for access to the grant fund.)

Amendment 3: Amend language on priority for COVID testing

Item 299

Health and Human Resources

Department of Health

Language

Language:

Page 163, line 26, strike "priority for".

Explanation:

(This amendment removes priority testing for residents and employees of nursing facilities or assisted living facilities for COVID-19. This will allow VDH to rely on their current process for planning and prioritizing COVID-19 vaccines and treatments that already includes nursing facilities and assisted living facilities.)

Amendment 4: Continue the Water Quality Enhancement Fee

Item 377

Natural Resources

Department of Environmental Quality

Language

Language:

Page 250, strike lines 15-24, and insert:

"L. Notwithstanding § 62.1-44.15:35, Code of Virginia, regardless of whether or not the effective date of regulations establishing application fees in accordance with § 62.1-44.19:20, Code of Virginia, has occurred, the credit provider shall pay the Department a water quality enhancement fee equal to six percent of the amount paid by the applicant for the credits. Such fee shall be deposited into the Virginia Stormwater Management Fund established by § 62.1-44.15:29, Code of Virginia. The Department shall convene a workgroup of affected stakeholders, including representatives from the regulated industry and members of the public, to produce recommendations for the Governor and General Assembly to improve the long-term sustainability of the water quality enhancement fee and Department oversight of nutrient credit use in the Commonwealth. Such recommendations shall be provided to the Governor and General Assembly by July 1, 2021."

Explanation:

(This amendment continues the Water Quality Enhancement Fee. Also directs the Department of Environmental Quality to convene a workgroup of stakeholders to produce recommendations by July 1, 2021, for the Governor and General Assembly to improve the long-term sustainability of the fee and DEQ's oversight of nutrient credit use in Virginia.)

Amendment 5: Funding and language to establish VMI Investigation Team

Item 479

Central Appropriations

FY 20-21

FY 21-22

Central Appropriations

\$1,000,000

\$0

GF

Language:

Page 302, line 50, strike "\$9,769,500" and insert "\$10,769,500".

Page 303, Line 6, strike "\$3,069,500" and insert "\$4,069,500"

Page 307, after line 18 insert:

“Q. The appropriations in this item include \$1,000,000 from the general fund in the first year to conduct an independent, third-party investigation of the culture, traditions, policies, and practices of the Virginia Military Institute. The investigative team shall report its findings and recommendations to the State Council of Higher Education for Virginia. Investigative notes, draft reports, and other correspondence and information furnished in confidence with respect to this investigation are exempt from disclosure under the Virginia Freedom of Information Act, section 2.2-3700 et seq. of the Code of Virginia.”

Explanation:

(This amendment provides funding for an independent, third-party investigation of the culture, traditions, policies, and practices of the Virginia Military Institute.)

Amendment 6: Amend Coronavirus Relief Fund Allocation Language

Item 479.10

Central Appropriations

Central Appropriations

Language

Language:

Page 307, line 28, strike “Any allocations of”.

Page 307, strike lines 29 through 35.

Page 307, line 36, unstrike “2” and strike “3”.

Page 307, line 48, unstrike “3” and strike “4”.

Page 307, line 52, unstrike “4” and strike “5”.

Page 308, strike lines 8 through 27 and insert:

Item	Amount Allocated as of 7/1/2020
Allocations to Localities	\$644,573,383
FY20 Agency-based Requests	\$80,480,698
DGS - Consolidated Labs	\$6,052,673
DHCD - Emergency Housing for Homeless	\$5,528,998
DHCD - Mortgage and Rental Assistance	\$10,000,000
VDEM - PPE	\$97,000,000
VDEM - Testing	\$42,338,400
VDEM - Other	\$33,722,001
VDH - Contract tracing/UVA Equipment	\$59,157,614
VDH - Replace deficit authorization	\$3,291,300
Total	\$982,145,067

Page 308, line 28, strike “\$1,215,214,399” and insert “\$2,127,357,769”.

Page 308, strike lines 32 through 48.

Page 309, strike lines 1 through 28 and insert:

Item	Amount
Allocations to Localities	\$644,573,383
Direct utility customer assistance for SCC jurisdictional utilities	\$60,000,000
Direct utility customer assistance for other utilities	\$60,000,000
DHCD - Emergency Housing for Homeless	\$3,270,000
DOC/DJJ - PPE, sanitization, medical overtime	\$6,642,352

DMAS - Additional hospital reimbursements for eligible COVID-19 costs	\$60,000,000
DMAS - Long-term care facilities	\$55,640,872
DMAS - PPE for Personal Care Attendants	\$9,256,178
DMAS - Hazard pay for home health workers	\$73,056,734
DMAS - Retainer payments for Medicaid DD Waiver Day Support providers	\$25,000,000
Higher Education - PPE, Virtual Education, Cleaning , Telework, Other COVID Costs	\$116,261,410
State Museums and Higher Education Centers - PPE, Virtual Education, Cleaning , Telework, Other COVID Costs	\$834,013
K-12 - Costs for Re-Opening Schools	\$220,798,208
DSS - Food security - Expand emergency food supply package	\$650,000
VDACS - Food security - Agriculture surplus & emergency food	\$1,211,953
VDEM - Food security - 1 million MREs	\$2,000,000
DSS - Childcare Provider Stabilization Funds	\$58,341,000
DSS - Virginia Federation of Food Banks - \$1.0 million per region	\$7,000,000
Statewide - PPE Plan	\$42,112,285
Statewide - Testing and Contact Tracing	\$71,829,059
Statewide - state agencies telework, PPE/sanitizing, DOLI regulation compliance and other eligible operational cost increases	\$31,580,652
VDH - Point of Care Antigen Testing	\$16,010,500
DSBSD - Small business assistance grants	\$70,000,000
VDEM - Technical assistance, public education and preparedness for COVID-19 pandemic response	\$41,769,113
DHCD - Mortgage and Rental Assistance	\$40,000,000
DHCD - Mortgage and Rental Assistance supplement	\$12,000,000
DHCD - broadband accessibility	\$30,000,000
VEC - Unemployment Assistance	\$210,000,000
UVA Medical Center — capital, PPE, testing, education	\$3,442,283
VCU Hospital — capital, PPE, testing, education	\$11,333,374
VDH - Executive Order enforcement	\$1,298,038
DBHDS - hospital census support	\$2,853,215
Carilion serology study	\$566,309
VDH - Vaccination Program	\$22,052,445
DBHDS - Hazard Pay	\$669,312
VDH - additional testing needs - One Lab	\$9,929,838
VDH - agreement with Unite Us	\$10,000,000
VDH - DocuSign subscription	\$192,250
VDH - COVID-19 communications Strategy	\$3,450,000
VDH - sample testing costs, staffing, overtime	\$6,632,255

VDH - Virginia Association of Free and Charitable Clinics (VAFCC)	\$3,000,000
VDH - community mitigation efforts	\$41,019
VCCS - training vouchers for unemployed	\$30,000,000
DSBSD - small business assistance grants - additional funds for Rebuild Virginia	\$30,000,000
DVS - reimburse COVID-19 expenses for PPE, sanitization, medical overtime	\$59,719
SCHEV - payment to private institutions of higher education	\$22,000,000
Total	\$2,127,357,769

Page 309, strike lines 29 through 51 and insert:

“3.a. The allocations in this item include \$60,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to be used to help provide direct assistance to jurisdictional utility customers with accounts over 30 days in arrears. In order to be eligible for the funds provided in this paragraph, the jurisdictional utilities must be subject to the utility disconnection moratorium established in Item 4-14, clause 7.a. of this act. The State Corporation Commission shall establish an application process in order to distribute funds directly to utilities for the purpose of efficiently providing direct assistance to customers. Utilities shall certify upon application to the State Corporation Commission, that funds will be utilized in accordance with the CARES act. The Commission shall award funds in a manner that will provide direct assistance to customers with accounts over 60 days in arrears prior to awarding funds to subsidize customer accounts 30 days in arrears. Any federal Coronavirus Relief Funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) provided pursuant to this paragraph shall exclude phase II utilities who provided the forgiveness of jurisdictional customer balances as specified in Item 4-14, clause 7, paragraph j. of this act. Notwithstanding § 2.2-4002, Code of Virginia, the provisions contained in this paragraph 5.a. establishing the utility direct assistance program shall not be subject to the Administrative Process Act.

b. Upon receipt of any funds provided in paragraph 3.a., utilities shall create separate COVID-19 Utility Assistance Funds and record direct assistance payments to customers on their books in accordance with applicable accounting standards. Utilities may not direct any funds provided in paragraph 5.a. to new deposits, down payments, fees, late fees, interest charges, or penalties. Utilities may require the customer to attest to the utility or to a third party chosen by the utility that the customer has experienced a financial hardship resulting directly or indirectly from the public health emergency or that they have experienced a hardship to pay during the public health emergency prior to receiving direct assistance from the utility’s COVID-19 Utility Assistance Fund. While utilities may require attestation of such hardship, it may be implied that arrearages accrued over 30 days for customer nonpayment of bills, for which federal relief funds shall be used for direct subsidy payments on behalf of customers pursuant to Item 4-14, paragraph d. of this act., were incurred as a financial hardship created by the pandemic. Utilities shall reflect the direct assistance payment on an eligible customer’s monthly bill, after the funds are applied to the customer’s account. Utility customers may only receive a direct payment subsidy from the utility’s COVID-19 Utility Assistance Fund once.

c. The Director of the Department of Planning and Budget shall distribute funds to the State Corporation Commission within 30 days of the passage of this act. Prior to any distribution from the amounts appropriated in paragraph 3.a. of this item, the State Corporation Commission may seek guidance from the Department of Planning and Budget and any other relevant agencies to verify the jurisdictional utilities that are eligible to receive funds under this appropriation based on the most recently published guidance from the United States Department of the Treasury.”

Page 310, strike lines 1 through 58.

Page 311, strike lines 1 through 56.

Page 312, strike lines 1 through 32.

Page 312, strike lines 51 through 56 and insert:

“D. 1. If, prior to the expiration of federal Coronavirus Relief Fund amounts, the Governor determines that any of the amounts outlined in paragraph B. of this item cannot be spent for the purposes outlined, he shall have the authority to shift unspent allocations first to any other purpose outlined in Paragraph B; however, if he determines that no additional need exists for the allocations in paragraph B, he may authorize the remaining amounts to be used for other qualifying expenses pursuant to federal guidelines. 2. If, after December 30, 2020, but prior to the required return of unspent federal Coronavirus Relief Fund amounts to the federal government, the Governor determines that unspent allocations remain, such amounts shall be transferred to the Unemployment Compensation Fund established pursuant to § 60.2-300 or to other eligible expenses authorized in paragraph B. of this item pursuant to federal guidelines. If, after the expiration of federal Coronavirus Relief Fund amounts, federal guidelines allow for the shifting of allocated amounts, the Governor shall have the authority to reclassify such amounts to eligible expenses in order to maximize the Commonwealth’s use of the funds. Any such reclassification of funds shall be reported to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.”

Page 313, line 1, strike “or C.” and insert C, or D.”

Page 313, strike lines 9 through 18.

Explanation:

(This amendment adjusts Coronavirus Relief Fund allocations to be consistent with amounts already approved or executed and modifies other language provisions.)

Amendment 7: Remove funding for Accomack Regional Airport Hangar project

Item C-61.50

Virginia Commercial Spaceflight Authority	FY 20-21	FY 21-22	
Central Capital Outlay	(\$2,000,000)	\$0	NGF

Language:

Page 338, strike lines 2 through 7.

Explanation:

(This amendment eliminates funding for the Accomack Regional Airport Hangar project.)

Amendment 8: Remove funding for Virginia Beach Access Improvement project

Item C-72.10

Central Appropriations	FY 20-21	FY 21-22	
Central Capital Outlay	(\$10,000,000)	\$0	NGF

Language:

Page 341, strike lines 2 through 10.

Explanation:

(This amendment eliminates funding for the Virginia Beach Nimmo Parkway access project.)

Amendment 9: DMV Office Relocations

Item C-73

Central Appropriations			
Central Capital Outlay			Language

Language:

Page 341, line 18, strike “Not Set Out” and insert:

“A. The Department of General Services is authorized to enter into long-term leases as follows:

1. On behalf of the Department of Social Services, to address lease space needs for the Child Support Enforcement District Office, the Regional Administrative Office and the Regional Training Offices in Abingdon.

- 2. On behalf of the Department of Social Services, to address lease space needs for the Child Support Enforcement District Office and the Child Support Enforcement Regional Offices in Roanoke.
- 3. On behalf of the Department of Motor Vehicles, to address lease space needs for a customer service center to replace or renew the lease for the existing facility in Manassas and Henrico County.
- 4. On behalf of the Department of Corrections, to address space needs for probation and parole offices in Petersburg, Bristol, Abingdon, Gloucester, Front Royal, and Chesterfield County.
- 5. On behalf of the Department of Environmental Quality, to address lease space needs for a regional office to replace or renew the lease for the existing facility in Roanoke.
- 6. On behalf of the Department of Environmental Quality, to address lease space needs for the Piedmont Regional Office and Office of Air Quality Monitoring to replace or renew the lease for the existing facility in the greater Richmond area.
- 7. On behalf of the Department of Emergency Management, to address lease space needs for a headquarters facility to replace or renew the lease for the existing facility in the greater Richmond area.
- 8. On behalf of the Department of Motor Vehicles, to address lease space needs for the Sterling Customer Service Center to relocate and expand the existing facility.
- 9. On behalf of the Department of Historic Resources, to address lease space needs for additional archaeological storage space to expand the existing facility in the greater Richmond area.
- 10. *On behalf of the Department of Motor Vehicles, to address lease space needs for the Charlottesville and Smithfield Customer Service Centers to relocate the existing facilities.*

Explanation:

(This amendment adds the Charlottesville and Smithfield Department of Motor Vehicles Customer Service Centers to the list of authorized long-term leases for the purpose of relocating these facilities to find more cost-effective lease space and lease space that can provide adequate accommodations for patrons and staff.)

Amendment 10: Redistricting Commission

Item 4-14

General Provisions

Effective Date

Language

Language:

Page 366, after line 39, insert:

“9. That §§ 8.01-3, 24.2-306, 24.2-309.2, 30-263, 30-264, and 30-265 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 30 a chapter numbered 62 consisting of sections numbered 30-391 through 30-400 as follows:

§ 8.01-3. Supreme Court may prescribe rules; effective date and availability; indexed, and annotated; effect of subsequent enactments of General Assembly.

A. The Supreme Court, subject to §§ 17.1-503 and 16.1-69.32, may, from time to time, prescribe the forms of writs and make general regulations for the practice in all courts of the Commonwealth; and may prepare a system of rules of practice and a system of pleading and the forms of process and may prepare rules of evidence to be used in all such courts. This section shall be liberally construed so as to eliminate unnecessary delays and expenses.

B. The Supreme Court, subject to § 30-399, shall enact rules and procedures as may be necessary for implementing the requirements of Article II, Section 6-A of the Constitution of Virginia, empowering the Supreme Court to establish congressional or state legislative districts as provided for in that section.

~~B-C.~~ New rules and amendments to rules shall not become effective until 60 days from adoption by the Supreme Court, and shall be made available to all courts, members of the bar, and the public.

~~C-D.~~ The Virginia Code Commission shall publish and cause to be properly indexed and annotated the rules adopted by the Supreme Court, and all amendments thereof by the Court, and all changes made therein pursuant to subsection ~~D~~ E.

~~D-E.~~ The General Assembly may, from time to time, by the enactment of a general law, modify or annul any rules adopted or amended pursuant to this section. In the case of any variance between a rule and an

enactment of the General Assembly such variance shall be construed so as to give effect to such enactment.

~~E-F.~~ Any amendment or addition to the rules of evidence shall be adopted by the Supreme Court on or before November 15 of any year and shall become effective on July 1 of the following year unless the General Assembly modifies or annuls any such amendment or addition by enactment of a general law. Notwithstanding the foregoing, the Supreme Court, at any time, may amend the rules to conform with any enactment of the General Assembly and correct unmistakable printer's errors, misspellings, unmistakable errors to statutory cross-references, and other unmistakable errors in the rules of evidence.

~~F-G.~~ When any rule contained in the rules of evidence is derived from one or more sections of the Code of Virginia, the Supreme Court shall include a citation to such section or sections in the title of the rule.

§ 24.2-306. Changes not to be enacted within 60 days of general election; notice requirements.

A. No change in any local election district, precinct, or polling place shall be enacted within 60 days next preceding any general election. Notice shall be published prior to enactment in a newspaper having general circulation in the election district or precinct once a week for two successive weeks. The published notice shall state where descriptions and maps of proposed boundary and polling place changes may be inspected.

B. Notice of any adopted change in any election district, town, precinct, or polling place other than in the location of the office of the general registrar shall be mailed to all registered voters whose election district, town, precinct, or polling place is changed at least 15 days prior to the next general, special, or primary election in which the voters will be voting in the changed election district, town, precinct, or polling place. Notice of a change in the location of the office of the general registrar shall be given by posting on the official website of the county or city, by posting at not less than 10 public places, or by publication once in a newspaper of general circulation in the county or city within not more than 21 days in advance of the change or within seven days following the change.

C. Each county, city, and town shall comply with the applicable requirements of law, including §§ 24.2-304.3 and ~~30-264~~ 30-395, and send copies of enacted changes, including a Geographic Information System (GIS) map showing the new boundaries of the districts or precincts, to the local electoral board, the Department, and the Division of Legislative Services. Any county, city, or town that does not have GIS capabilities may request the Department of Elections to create on its behalf a GIS map showing the boundaries of the new districts or precincts, and the Department of Elections shall create such a map.

§ 24.2-309.2. Election precincts; prohibiting precinct changes for specified period of time.

No county, city, or town shall create, divide, abolish, or consolidate any precincts, or otherwise change the boundaries of any precinct, effective during the period from February 1, 2019, to May 15, 2021, except as (i) provided by law upon a change in the boundaries of the county, city, or town, (ii) the result of a court order, (iii) the result of a change in the form of government, or (iv) the result of an increase or decrease in the number of local election districts other than at-large districts. Any ordinance required to comply with the requirements of § 24.2-307 shall be adopted on or before February 1, 2019.

If a change in the boundaries of a precinct is required pursuant to clause (i), (ii), (iii), or (iv), the county, city, or town shall comply with the applicable requirements of law, including §§ 24.2-304.3 and ~~30-264~~ 30-395, and send copies of the ordered or enacted changes to the State Board of Elections and the Division of Legislative Services.

This section shall not prohibit any county, city, or town from adopting an ordinance revising precinct boundaries after January 1, 2021. However, no revisions in precinct boundaries shall be implemented in the conduct of elections prior to May 15, 2021.

§ 30-263. Joint Reapportionment Committee; membership; terms; quorum; compensation and expenses.

A. The Joint Reapportionment Committee (*the Joint Committee*) is established in the legislative branch of state government. The *Joint Committee* shall consist of five members of the Committee on Privileges and Elections of the House of Delegates and three members of the Committee on Privileges and Elections of the Senate appointed by the respective chairmen of the two committees. Members shall serve terms coincident with their terms of office.

B. The Joint Committee shall elect a chairman and vice-chairman from among its membership. A majority of the members of the *Joint* Committee shall constitute a quorum. The meetings of the *Joint* Committee shall be held at the call of the chairman or whenever the majority of the members so request.

C. The Joint Committee shall supervise activities required for the tabulation of population for the census and for the timely reception of precinct population data for reapportionment, ~~and perform such other duties and responsibilities and exercise such supervision as may promote the orderly redistricting of congressional, state legislative, and local election districts.~~

D. Members shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Office of the Clerk of the House of Delegates and the Office of Clerk of the Senate for their respective members.

§ 30-264. Staff to Joint Reapportionment Committee.

~~A. The Division of Legislative Services (the Division) shall serve as staff to the Joint Reapportionment Committee. The Director of the Division, or his designated representative, shall serve as the state liaison with the United States Bureau of the Census on matters relating to the tabulation of the population for reapportionment purposes pursuant to United States Public Law 94-171. The governing bodies, electoral boards, and registrars of every county and municipality shall cooperate with the Division in the exchange of all statistical and other information pertinent to preparation for the census.~~

~~B. The Division shall maintain the current election district and precinct boundaries of each county and city as a part of the General Assembly's computer assisted mapping and redistricting system. Whenever a county or city governing body adopts an ordinance that changes an election district or precinct boundary, the local governing body shall provide a copy of its ordinance, along with Geographic Information System (GIS) maps and other evidence documenting the boundary, to the Division.~~

~~C. The provisions of Article 2 (§ 24.2-302 et seq.) of Chapter 3 of Title 24.2, including the statistical reports referred to in that article, shall be controlling in any legal determination of a district boundary.~~

§ 30-265. Reapportionment of congressional and state legislative districts; United States Census population counts.

For the purposes of redrawing the boundaries of the congressional, state Senate, and House of Delegates districts after the United States Census for the year 2020 and every 10 years thereafter, the ~~General Assembly~~ *Virginia Redistricting Commission established pursuant to Chapter 62 of Title 30* shall use the population data provided by the United States Bureau of the Census, as adjusted by the Division of Legislative Services pursuant to § 24.2-314. The census data used for this apportionment purpose shall not include any population figure which is not allocated to specific census blocks within the Commonwealth, even though that population may have been included in the apportionment population figures of the Commonwealth for the purpose of allocating United States House of Representatives seats among the states.

CHAPTER 62.

VIRGINIA REDISTRICTING COMMISSION.

§ 30-391. *Virginia Redistricting Commission.*

A. *The Virginia Redistricting Commission is established in the legislative branch of state government. It shall be convened in the year 2020 and every 10 years thereafter for the purpose of establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly.*

B. *As used in this chapter:*

"Census data" means the population data received from the United States Bureau of the Census pursuant to P.L. 94-171.

"Commission" means the Virginia Redistricting Commission established pursuant to this chapter.

"Committee" means the Redistricting Commission Selection Committee established pursuant to

§ 30-393.

"Partisan public office" means (i) an elective or appointive office in the executive or legislative branch or in an independent establishment of the federal government; (ii) an elective office in the executive or

legislative branch of the government of the Commonwealth, or an office that is filled by appointment and is exempt from the Virginia Personnel Act (§ 2.2-2900 et seq.); or (iii) an office of a county, city, or other political subdivision of the Commonwealth that is filled by an election process involving nomination and election of candidates on a partisan basis.

“Political party office” means an elective office in the national or state organization of a political party, as defined in § 24.2-101.

§ 30-392. Membership; terms; vacancies; chairman; quorum; compensation and expenses.

A. The Virginia Redistricting Commission shall consist of 16 commissioners that include eight legislative commissioners and eight citizen commissioners as follows: two commissioners shall be members of the Senate of Virginia, representing the political party having the highest number of members in the Senate and appointed by the President pro tempore of the Senate; two commissioners shall be members of the Senate, representing the political party having the next highest number of members in the Senate and appointed by the leader of that political party; two commissioners shall be members of the House of Delegates, representing the political party having the highest number of members in the House of Delegates and appointed by the Speaker of the House of Delegates; two commissioners shall be members of the House of Delegates, representing the political party having the next highest number of members in the House of Delegates and appointed by the leader of that political party; and eight citizen commissioners who shall be selected by the Redistricting Commission Selection Committee pursuant to § 30-394. No appointing authority shall appoint himself to serve as a legislative commissioner or a citizen commissioner.

B. Legislative commissioners selected to serve as commissioners of the Commission shall be appointed by the respective authorities no later than December 1 of the year ending in zero and shall continue to serve until their successors are appointed. In making its appointments, the appointing authorities shall endeavor to have their appointees reflect the racial, ethnic, geographic, and gender diversity of the Commonwealth. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointment, such that the proper partisan balance of the Commission is maintained.

C. Citizen commissioners selected to serve as commissioners of the Virginia Redistricting Commission shall be selected by the Redistricting Commission Selection Committee as provided in § 30-394. In making its selections, the Committee shall ensure the citizen commissioners are, as a whole, representative of the racial, ethnic, geographic, and gender diversity of the Commonwealth. Citizen commissioners shall be appointed no later than January 15 of the year ending in one and shall continue to serve until their successors are appointed. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled by the Commission selecting a replacement from the list submitted pursuant to subsection E of § 30-394 from which the commissioner being replaced was selected and shall require an affirmative vote of a majority of the commissioners, including at least one commissioner representing or affiliated with each political party.

D. Legislative commissioners shall receive such compensation as provided in § 30-19.12, and citizen commissioners shall receive such compensation as provided in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. All such compensation and expense payments shall come from existing appropriations to the Commission.

E. By February 1 of the year ending in one, the Commission shall hold a public meeting at which it shall select a chairman from its membership. The chairman shall be a citizen commissioner and shall be responsible for coordinating the work of the Commission. A majority of the commissioners appointed, which majority shall include a majority of the legislative commissioners and a majority of the citizen commissioners, shall constitute a quorum.

F. All meetings and records of the Commission shall be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except as provided in subsection E of § 30-394. All records and documents of the Commission, or any individual or group performing delegated functions of or advising the Commission, related to the Commission’s work, including internal communications and communications from outside parties, shall be considered public information.

G. Commissioners, staff of the Commission, and any other advisor or consultant to the Commission shall not communicate with any person outside the Commission about matters related to reapportionment or redistricting outside of a public meeting or hearing. Written public comments submitted to the Commission, staff of the Commission, or any other advisor or consultant to the Commission shall not be a violation of this subsection.

H. In the event the Commission hires a lawyer or law firm, the Commission as an entity shall be considered the client of the lawyer or the law firm. No individual commissioner or group of commissioners shall be considered to be the client of the lawyer or the law firm.

§ 30-393. Redistricting Commission Selection Committee; chairman; quorum; compensation and expenses.

A. There shall be a Redistricting Commission Selection Committee established for the purpose of selecting the citizen commissioners of the Virginia Redistricting Commission. This committee shall consist of five retired judges of the circuit courts of Virginia.

B. By November 15 of the year ending in zero, the Chief Justice of the Supreme Court of Virginia shall certify to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest number of members in the Senate of Virginia a list of at least 10 retired judges of the circuit courts of Virginia who are willing to serve on the Committee, and no retired judge who is a parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law of, or a cohabitating member of a household with, a member of the Congress of the United States or of the General Assembly shall be included in such list. In compiling this list, the Chief Justice shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. These members shall each select a judge from the list and shall promptly, but not later than November 20, communicate their selection to the Chief Justice, who shall immediately notify the four judges selected. In making their selections, the members shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth. Within three days of being notified of their selection, the four judges shall select, by a majority vote, a judge from the list prescribed herein to serve as the fifth member of the Committee, who shall serve as the chairman of the Committee.

A majority of the Committee members, which majority shall include the chairman, shall constitute a quorum.

The judges of the Committee shall serve until their successors are appointed. If a judge cannot, for any reason, complete his term, the remaining judges shall select a replacement from the list prescribed herein.

C. Members of the Committee shall receive compensation for their services and shall be allowed all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. The compensation and expenses of members and all other necessary expenses of the Committee shall be provided from existing appropriations to the Commission.

D. All meetings and records of the Committee shall be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except as provided in subsection E of § 30-394.

E. Notwithstanding the provisions of § 1-210 regarding the computation of time, if an act required by this section is to be performed on a Saturday, Sunday, or legal holiday, or any day or part of a day on which the government office where the act to be performed is closed, the act required shall be performed on the first business day immediately preceding the Saturday, Sunday, or legal holiday, or day on which the government office is closed.

§ 30-394. Citizen commissioners; application process; qualifications; selection.

A. Within three days following the selection of the fifth member of the Committee, the Committee shall adopt an application and process by which residents of the Commonwealth may apply to serve on the Commission as citizen commissioners. The Division of Legislative Services shall assist the Committee in the development of the application and process.

The application for service on the Commission shall require applicants to provide personal contact information and information regarding the applicant's race, ethnicity, gender, age, date of birth, education, and household income. The application shall require an applicant to disclose, for the period of three years immediately preceding the application period, the applicant's (i) voter registration status; (ii)

preferred political party affiliation, if any, and any political party primary elections in which he has voted; (iii) history of any partisan public offices or political party offices held or sought; (iv) employment history, including any current or prior employment with the Congress of the United States or one of its members, the General Assembly or one of its members, any political party, or any campaign for a partisan public office, including a volunteer position; and (v) relevant leadership experience or involvements with professional, social, political, volunteer, and community organizations and causes. The application shall require an applicant to disclose information regarding the partisan activities and employment history of the applicant's parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law, or any person with whom the applicant is a cohabitating member of a household, for the period of three years immediately preceding the application period.

The Committee may require applicants to submit three letters of recommendation from individuals or organizations.

The application process shall provide for both paper and electronic or online applications. The Committee shall cause to be advertised throughout the Commonwealth information about the Commission and how interested persons may apply.

B. To be eligible for service on the Commission, a person shall have been a resident of the Commonwealth and a registered voter in the Commonwealth for three years immediately preceding the application period. He shall have voted in at least two of the previous three general elections. No person shall be eligible for service on the Commission who:

- 1. Holds, has held, or has sought partisan public office or political party office;*
- 2. Is employed by or has been employed by a member of the Congress of the United States or of the General Assembly or is employed directly by or has been employed directly by the United States Congress or by the General Assembly;*
- 3. Is employed by or has been employed by any federal, state, or local campaign;*
- 4. Is employed by or has been employed by any political party or is a member of a political party central committee;*
- 5. Is a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 or a lobbyist's principal as defined in § 2.2-419 or has been such a lobbyist or lobbyist's principal in the previous five years; or*
- 6. Is a parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law of a person described in subdivisions 1 through 5, or is a cohabitating member of a household with such a person.*

C. The application period shall begin no later than December 1 of the year ending in zero and shall end four weeks after the beginning date. During this period, interested persons shall submit a completed application and any required documentation to the Division of Legislative Services. All applications shall be reviewed by the Division of Legislative Services to ensure an applicant's eligibility for service pursuant to subsection B, and any applicant who is ineligible for service shall be removed from the applicant pool.

The Division of Legislative Services shall make available the application for persons to use when submitting a paper application and shall provide electronic access for electronic submission of applications.

D. Within two days of the close of the application period, the Division of Legislative Services shall provide to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest number of members in the Senate of Virginia the applications and documentation submitted by those applicants who are eligible for service on the Commission pursuant to subsection B and submitted complete applications, including any required documentation.

E. By January 1 of the year ending in one, those persons receiving the applications pursuant to subsection D shall each submit to the Committee a list of at least 16 citizen candidates for service on the Commission. In selecting citizen candidates, they shall give consideration to the racial, ethnic, geographic, and gender diversity of the Commonwealth.

They shall notify the Division of Legislative Services of the citizen candidates submitted to the Committee for consideration, and the Division of Legislative Services shall promptly provide to the Committee the applications and documentation for each citizen candidate being considered. Only the applications and documentation for each citizen candidate shall be maintained as public records.

F. Within two weeks of receipt of the lists of citizen candidates and related materials pursuant to subsection E, but no later than January 15, the Committee shall select, by a majority vote in a public meeting, two citizen members from each list submitted. In making its selections, the Committee shall ensure the citizen commissioners are, as a whole, representative of the racial, ethnic, geographic, and gender diversity of the Commonwealth. The Committee shall promptly notify those eight citizens of their selection to serve as a citizen commissioner of the Commission.

No member of the Committee shall communicate with a member of the General Assembly or the United States Congress, or any person acting on behalf of a member of the General Assembly or the United States Congress, about any matter related to the selection of citizen commissioners after receipt of the lists submitted pursuant to subsection E.

G. Notwithstanding the provisions of § 1-210 regarding the computation of time, if an act required by this section is to be performed on a Saturday, Sunday, or legal holiday, or any day or part of a day on which the government office where the act to be performed is closed, the act required shall be performed on the first business day immediately preceding the Saturday, Sunday, or legal holiday, or day on which the government office is closed.

§ 30-395. Staff to Virginia Redistricting Commission; census liaison.

A. The Division of Legislative Services shall provide staff support to the Commission. Staff shall perform those duties assigned to it by the Commission. The Director of the Division of Legislative Services, or his designated representative, shall serve as the state liaison with the United States Bureau of the Census on matters relating to the tabulation of the population for reapportionment purposes pursuant to P.L.

94-171. The governing bodies, electoral boards, and registrars of every county and municipality shall cooperate with the Division of Legislative Services in the exchange of all statistical and other information pertinent to preparation for the census.

B. The Division of Legislative Services shall maintain the current election district and precinct boundaries of each county and city as a part of the Commission's computer-assisted mapping and redistricting system. Whenever a county or city governing body adopts an ordinance that changes an election district or precinct boundary, the local governing body shall provide a copy of its ordinance, along with Geographic Information System (GIS) maps and other evidence documenting the boundary, to the Division of Legislative Services.

C. The provisions of Article 2 (§ 24.2-302 et seq.) of Chapter 3 of Title 24.2, including the statistical reports referred to in that article, shall be controlling in any legal determination of a district boundary.

§ 30-396. Public participation in redistricting process.

A. All meetings and hearings held by the Commission shall be adequately advertised and planned to ensure the public is able to attend and participate fully. Meetings and hearings shall be advertised in multiple languages as practicable and appropriate.

B. Prior to proposing any plan for districts for the United States House of Representatives, the Senate, or the House of Delegates and prior to voting to submit such plans to the General Assembly, the Commission shall hold at least three public hearings in order to receive and consider comments from the public. Public hearings may be held virtually and any public hearings that are held in person shall be conducted in different parts of the Commonwealth.

C. The Commission shall establish and maintain a website or other equivalent electronic platform. The website shall be available to the general public and shall be used to disseminate information about the Commission's activities. The website shall be capable of receiving comments and proposals by citizens of the Commonwealth. Prior to voting on any proposed plan, the Commission shall publish the proposed plans on the website.

D. All data used by the Commission in the drawing of districts shall be available to the public on its website. Such data, including census data, precinct maps, election results, and shapefiles, shall be posted within three days of receipt by the Commission.

§ 30-397. *Proposal and submission of plans for districts.*

A. *The Commission shall submit to the General Assembly plans for districts for the Senate and the House of Delegates of the General Assembly no later than 45 days following the receipt of census data.*

To be submitted as a proposed plan for districts for members of the Senate, a plan shall receive affirmative votes of at least six of the eight legislative commissioners, including at least three of the four legislative commissioners who are members of the Senate, and at least six of the eight citizen commissioners.

To be submitted as a proposed plan for districts for members of the House of Delegates, a plan shall receive affirmative votes of at least six of the eight legislative commissioners, including at least three of the four legislative commissioners who are members of the House of Delegates, and at least six of the eight citizen commissioners.

B. *The Commission shall submit to the General Assembly plans for districts for the United States House of Representatives no later than 60 days following the receipt of census data or by the first day of July of that year, whichever occurs first.*

To be submitted as a proposed plan for districts for members of the United States House of Representatives, a plan shall receive affirmative votes of at least six of the eight legislative commissioners and at least six of the eight citizen commissioners.

C. *If the Commission fails to submit a plan for districts by the deadline set forth in subsection A or B, the Commission shall have 14 days following its initial failure to submit a plan to the General Assembly. If the Commission fails to submit a plan for districts to the General Assembly by this date, the districts shall be established by the Supreme Court of Virginia pursuant to § 30-399.*

D. *All plans submitted pursuant to this section shall comply with the criteria and standards set forth in § 24.2-304.04.*

§ 30-398. *Consideration of plans by the General Assembly; timeline.*

A. *All plans for districts for the Senate and the House of Delegates shall be embodied in and voted on as a single bill.*

B. *All bills embodying plans for districts for the United States House of Representatives, the Senate, or the House of Delegates shall be voted on by the General Assembly in accordance with the provisions of Article IV, Section 11 of the Constitution of Virginia, except no amendments shall be permitted. All bills embodying a plan that are approved by both houses shall become law without the signature of the Governor and, pursuant to Article II, Section 6 of the Constitution of Virginia, shall take effect immediately.*

C. *Within 15 days of receipt of any plan for districts, the General Assembly shall take a vote on a bill embodying such plan. If the General Assembly fails to adopt the bill by this deadline, the Commission shall submit a new plan for districts within 14 days of the General Assembly's failure to adopt the bill. Within seven days of receipt of such plan, the General Assembly shall take a vote on the bill embodying the plan, and if the General Assembly fails to adopt the plan by this deadline, the districts shall be established by the Supreme Court of Virginia pursuant to § 30-399.*

D. *If the Commission submits a plan for districts pursuant to subsection C of § 30-397, the General Assembly shall take a vote on such plan within seven days of its receipt. If the General Assembly fails to adopt the plan by this deadline, the districts shall be established by the Supreme Court of Virginia pursuant to § 30-399.*

§ 30-399. *Establishment of districts by the Supreme Court of Virginia.*

A. *In the event the Commission fails to submit a plan for districts by the deadline set forth in subsection A or B of § 30-397, or the General Assembly fails to adopt a plan for districts by the deadline set forth in subsection C or D of § 30-398, the Supreme Court of Virginia (the Court) shall be responsible for establishing the districts.*

B. *The Court shall, not later than March 1 of a year ending in one, enact rules and procedures as may be necessary for implementing the requirements of Article II, Section 6-A of the Constitution of Virginia, empowering the Court to establish congressional or state legislative districts as provided for in that section. In enacting such rules and procedures, the Court shall follow the provisions of this section.*

C. Public participation in the Court's redistricting deliberations shall be permitted. Such public participation may be through briefings, written submissions, hearings in open court, or any other means as may be prescribed by the Court.

D. The Division of Legislative Services shall make available staff support and technical assistance to the Court to perform those duties as may be requested or assigned to it by the Court.

E. Any plan for congressional or state legislative districts established by the Court shall adhere to the standards and criteria for districts set forth in Article II, Section 6 of the Constitution of Virginia and § 24.2-304.04.

F. The Court shall appoint two special masters to assist the Court in the establishment of districts. The two special masters shall work together to develop any plan to be submitted to the Court for its consideration. Within one week of the Commission's failure to submit plans or the General Assembly's failure to adopt plans, the leaders in the House of Delegates having the highest and next highest number of members in the House of Delegates and the leaders in the Senate of Virginia having the highest and next highest number of members in the Senate of Virginia shall each submit to the Court a list of three or more nominees, along with a brief biography and resume for each nominee, including the nominee's particular expertise or experience relevant to redistricting. The Court shall then select, by a majority vote, one special master from the lists submitted by the legislative leaders of the political party having the highest number of members in their respective chambers and one special master from the lists submitted by the legislative leaders of the political party having the next highest number of members in their respective chambers. The persons appointed to serve as special masters shall have the requisite qualifications and experience to serve as a special master and shall have no conflicts of interest. In making its appointments, the Court shall consider any relevant redistricting experience in the Commonwealth and any practical or academic experience in the field of redistricting. The Court shall be reimbursed by the Commonwealth for all costs, including fees and expenses, related to the appointment or work of the special master from funds appropriated for this purpose.

G. Any justice who is a parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law of, or a cohabitating member of a household with, a member of the Congress of the United States or of the General Assembly shall recuse himself from any decision made pursuant to this section, and no senior justice designated pursuant to § 17.1-302 shall be assigned to the case or matter to serve in his place.

§ 30-400. Remedial redistricting plans.

If any congressional or state legislative district established pursuant to this chapter or the provisions of Article II, Sections 6 and 6-A of the Constitution of Virginia is declared unlawful or unconstitutional, in whole or in part, by order of any state or federal court, the Commission shall be convened to determine and propose a redistricting plan to remedy the unlawful or unconstitutional district.

10. That an emergency exists and the provisions of Enactment 9 of this act shall become effective on November 15, 2020, contingent upon the passage of an amendment to the Constitution of Virginia on the Tuesday after the first Monday in November 2020, establishing the Virginia Redistricting Commission by amending Section 6 of Article II and adding in Article II a new section numbered 6-A. If such amendment is not approved by the voters, the provisions of this act shall not become effective."

Page 366, line 40, strike "9." and insert "11."

Page 366, line 42, strike "10." and insert "12."

Page 366, line 42, strike "fifth enactment" and insert "fifth, ninth, and tenth enactments".

Explanation:

(This amendment provides for the implementation of the constitutional amendment establishing the Virginia Redistricting Commission, effective November 15, 2020, contingent upon the passage of the amendment by voters on the Tuesday after the first Monday in November 2020.)

The reading of the communication was waived.

H.B. 5005, on motion of Senator Howell, was amended in accordance with amendments Nos. 1, 9, and 10 of the Governor.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--37.

NAYS--Chase, DeSteph--2.

RULE 36--0.

Senator Hanger moved that **H.B. 5005** be amended in accordance with amendment No. 3 of the Governor.

The question was put on amending **H.B. 5005** in accordance with amendment No. 3 of the Governor.

The Senate refused to so amend **H.B. 5005**.

The recorded vote is as follows:

YEAS--15. NAYS--24. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Hashmi, Howell, Lewis, Locke, Lucas, McClellan, Saslaw, Spruill, Surovell--15.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Favola, Hanger, Kiggans, Marsden, Mason, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--24.

RULE 36--0.

H.B. 5005, on motion of Senator Norment, was amended in accordance with amendment No. 5 of the Governor.

The recorded vote is as follows:

YEAS--23. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Petersen, Reeves, Saslaw, Spruill, Surovell--23.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Newman, Obenshain, Peake, Pillion, Ruff, Stanley, Stuart, Vogel--16.

RULE 36--0.

RECONSIDERATION

Senator Mason moved to reconsider the vote by which the Senate refused to amend **H.B. 5005** in accordance with amendment No. 3 of the Governor.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--39.

NAYS--0.

RULE 36--0.

The question was put on amending **H.B. 5005** in accordance with amendment No. 3 of the Governor.

The Senate refused to so amend **H.B. 5005**.

The recorded vote is as follows:

YEAS--12. NAYS--27. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Edwards, Favola, Hashmi, Howell, Locke, Lucas, Saslaw, Surovell--12.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Ebbin, Hanger, Kiggans, Lewis, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Spruill, Stanley, Stuart, Vogel--27.

RULE 36--0.

RECESS

At 5:20 p.m., Senator Norment moved that the Senate recess until 5:30 p.m.

The motion was agreed to.

The hour of 5:30 p.m. having arrived, the Chair was resumed.

HOUSE BILL WITH GOVERNOR'S RECOMMENDATIONS

H.B. 5005 (five thousand five) was taken up.

Senator Saslaw moved that **H.B. 5005** be amended in accordance with amendment No. 7 of the Governor.

The question was put on amending **H.B. 5005** in accordance with amendment No. 7 of the Governor.

The Senate refused to so amend **H.B. 5005**.

The recorded vote is as follows:

YEAS--9. NAYS--30. RULE 36--0.

YEAS--Barker, Bell, Edwards, Favola, Howell, Lucas, Marsden, Saslaw, Surovell--9.

NAYS--Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Hanger, Hashmi, Kiggans, Lewis, Locke, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Spruill, Stanley, Stuart, Vogel--30.

RULE 36--0.

Senator DeSteph moved that the Senate refuse to amend **H.B. 5005** in accordance with amendment No. 8 of the Governor.

The question was put on amending **H.B. 5005** in accordance with amendment No. 8 of the Governor.

The recorded vote is as follows:

YEAS--19. NAYS--19. RULE 36--1.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Locke, Lucas, Marsden, Mason, McClellan, McPike, Petersen, Saslaw, Spruill, Surovell--19.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, Lewis, McDougle, Morrissey, Newman, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--19.

RULE 36--Norment--1.

There being an equal division, the President cast his vote in accordance with Article V, Section 14, of the Constitution.

The President voted yea.

The final vote is as follows:

YEAS--20. NAYS--19. RULE 36--1.

H.B. 5005 was amended in accordance with amendment No. 8 of the Governor.

HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates
November 9, 2020

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GOVERNOR THE FOLLOWING HOUSE BILLS:

H.B. 5046. An Act to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.

H.B. 5058. An Act to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, as it is currently effective and as it shall become effective, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic offenses.

H.B. 5064. An Act to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

H.B. 5106. An Act to amend and reenact § 55.1-1245 of the Code of Virginia, relating to landlord and tenant, noncompliance with rental agreement; prohibition on using negative credit information arising from the COVID-19 pandemic against tenants or applicants for tenancy; penalty.

H.B. 5109. An Act to amend and reenact §§ 9.1-102 and 15.2-1705 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 9.1-112.1, relating to the Department of Criminal Justice Services; law-enforcement officer training and qualifications.

H.B. 5115. An Act to provide civil relief to citizens furloughed or otherwise receiving reduced wages or payments due to the state of emergency declared by the Governor in response to the COVID-19 pandemic.

H.B. 5148. An Act to amend and reenact § 53.1-202.3 of the Code of Virginia, relating to Department of Corrections; earned sentence credits.

THE HOUSE OF DELEGATES HAS REFUSED TO AMEND IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR THE FOLLOWING HOUSE BILL:

H.B. 5049. An Act to amend and reenact §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of a section numbered 2.2-5515, by adding a section numbered 15.2-1721.1, and by adding in Title 19.2 a chapter numbered 7.1, consisting of sections numbered 19.2-83.3, 19.2-83.4, and 19.2-83.5, relating to acquisition and use of military property by law-enforcement agencies.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Suzette Denslow
Clerk of the House of Delegates

On motion of Senator Saslaw, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:
YEAS--35. NAYS--3. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Newman, Norment, Obenshain, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--35.

NAYS--Deeds, McDougle, Peake--3.
RULE 36--0.

HOUSE BILLS WITH GOVERNOR'S RECOMMENDATIONS

H.B. 5046 (five thousand forty-six) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

October 21, 2020

TO: HOUSE OF DELEGATES
HOUSE BILL NO. 5046

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. After line 465, enrolled
insert

3. That an emergency exists and this act is in force from its passage.

Sincerely,

/s/ Ralph S. Northam

The reading of the communication was waived.

H.B. 5046, on motion of Senator Lucas, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--39.

NAYS--0.

RULE 36--0.

H.B. 5058 (five thousand fifty-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

October 21, 2020

TO: HOUSE OF DELEGATES
HOUSE BILL NO. 5058

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 463, enrolled, after *section*
insert

, except that a law-enforcement officer may stop a vehicle if it displays no brake lights that meet the requirements set forth in subsection A

2. Line 509, enrolled, after *section*
insert

, except that a law-enforcement officer may stop a vehicle if it displays no lighted headlights during the time periods set forth in subsection A

3. Line 750, enrolled, after *vehicle*

strike

the remainder of line 750 and through *vehicle* on line 751

Sincerely,

/s/ Ralph S. Northam

The reading of the communication was waived.

Senator Edwards moved that **H.B. 5058** be amended in accordance with the recommendations of the Governor.

Senator McDougle requested that, pursuant to Senate Rule 31, there be a division of the amendments for consideration.

The question was put on amending **H.B. 5058** in accordance with amendments Nos. 1 and 2 of the Governor.

H.B. 5058 was amended in accordance with amendments Nos. 1 and 2 of the Governor.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--38.

NAYS--DeSteph--1.

RULE 36--0.

The question was put on amending **H.B. 5058** in accordance with amendment No. 3 of the Governor.

H.B. 5058 was amended in accordance with amendment No. 3 of the Governor.

The recorded vote is as follows:

YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--18.

RULE 36--0.

H.B. 5064 (five thousand sixty-four) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

October 28, 2020

TO: HOUSE OF DELEGATES
HOUSE BILL NO. 5064

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 71, enrolled, after within
strike
five
insert
14

2. Line 73, enrolled, after within the
strike
five-day
insert
14-day

3. Line 78, enrolled, after *owed*
strike
the remainder of line 78 and through *law* on line 79

4. After line 132, enrolled
insert

3. That an emergency exists and this act is in force from its passage.

Sincerely,

/s/ Ralph S. Northam

The reading of the communication was waived.

Senator Barker moved that **H.B. 5064** be amended in accordance with the recommendations of the Governor.

Senator Newman requested that, pursuant to Senate Rule 31, there be a division of the amendments for consideration.

The question was put on amending **H.B. 5064** in accordance with amendments Nos. 1 and 2 of the Governor.

H.B. 5064 was amended in accordance with amendments Nos. 1 and 2 of the Governor.

The recorded vote is as follows:
YEAS--37. NAYS--2. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--37.

NAYS--Chase, DeSteph--2.
RULE 36--0.

The question was put on amending **H.B. 5064** in accordance with amendments Nos. 3 and 4 of the Governor.

H.B. 5064 was amended in accordance with amendments Nos. 3 and 4 of the Governor.

The recorded vote is as follows:

YEAS--21. NAYS--17. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--17.

RULE 36--0.

H.B. 5106 (five thousand one hundred six) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

TO: HOUSE OF DELEGATES

HOUSE BILL NO. 5106

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 106, enrolled, after *action*

insert

, as defined in 15 U.S.C. § 1681a(k),

Sincerely,

/s/ Ralph S. Northam

The reading of the communication was waived.

H.B. 5106, on motion of Senator Surovell, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--23. NAYS--16. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Norment, Peake, Saslaw, Spruill, Surovell--23.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Kiggans, McDougle, Newman, Obenshain, Petersen, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--16.

RULE 36--0.

H.B. 5109 (five thousand one hundred nine) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

October 28, 2020

TO: HOUSE OF DELEGATES
HOUSE BILL NO. 5109

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 148, enrolled, after ~~policing~~
insert
racially biased policing and
2. Line 166, enrolled, after ~~policing~~
insert
racially biased policing and
3. Line 174, enrolled, after ~~policing~~
insert
racially biased policing and
4. Line 273, enrolled, after *Establish*
strike
the remainder of line 273, all of line 274, and through *examinations* on line 275
insert
guidelines and standards for psychological examinations conducted pursuant to subsection C of § 15.2-1705
5. Line 326, enrolled, after ~~and~~;
insert
and
6. Line 328, enrolled, after satisfaction
strike
the remainder of line 328, all of line 329, and through *professional* on line 330
7. After line 342, enrolled
insert
C. In addition, the hiring law-enforcement agency or jail may require a candidate for employment to undergo a psychological examination, subsequent to a conditional offer of employment, conducted under the supervision of a licensed psychiatrist or a licensed clinical psychologist.

Sincerely,

/s/ Ralph S. Northam

The reading of the communication was waived.

H.B. 5109, on motion of Senator Edwards, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnivant, Hanger, Kiggans, McDougle, Newman, Norment, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--18.

RULE 36--0.

H.B. 5115 (five thousand one hundred fifteen) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

October 21, 2020

TO: HOUSE OF DELEGATES

HOUSE BILL NO. 5115

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. After line 47, enrolled
insert

3. That an emergency exists and this act is in force from its passage.

Sincerely,

/s/ Ralph S. Northam

The reading of the communication was waived.

H.B. 5115, on motion of Senator Barker, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--37. NAYS--1. RULE 36--0.

YEAS--Barker, Bell, Boysko, Chafin, Cosgrove, Deeds, Dunnivant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougle, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell, Vogel--37.

NAYS--Chase--1.

RULE 36--0.

STATEMENT ON VOTE

Senator DeSteph stated that he was recorded as not voting on the question of agreeing to amend in accordance with the recommendation of the Governor **H.B. 5115**, whereas he intended to vote yea.

H.B. 5148 (five thousand one hundred forty-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

October 28, 2020

TO: HOUSE OF DELEGATES
HOUSE BILL NO. 5148

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 14, enrolled, after *18.2-40*
strike
or 18.2-45
2. At the beginning of line 106, enrolled
strike
December 1, 2022
insert
June 1, 2023
3. Line 114, enrolled, after **on**
strike
January
insert
July
4. Line 117, enrolled, after **on**
strike
January
insert
July
5. Line 132, enrolled, after **counseling**,
strike
and
6. Line 133, enrolled, after **abuse**
insert
 , [a comma]

7. Line 133, enrolled, after **rehabilitative**
 insert
 , [a comma]

8. Line 133, enrolled, after **reentry**
 strike
programs
 insert
services

Sincerely,

/s/ Ralph S. Northam

The reading of the communication was waived.

H.B. 5148, on motion of Senator Boysko, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:
 YEAS--21. NAYS--18. RULE 36--0.

YEAS--Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Morrissey, Petersen, Saslaw, Spruill, Surovell--21.

NAYS--Chafin, Chase, Cosgrove, DeSteph, Dunnavant, Hanger, Kiggans, McDougle, Newman, Normant, Obenshain, Peake, Pillion, Reeves, Ruff, Stanley, Stuart, Vogel--18.

RULE 36--0.

HOUSE COMMUNICATION

The following communication was received and read:

In the House of Delegates
 November 9, 2020

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GOVERNOR THE FOLLOWING SENATE BILLS:

S.B. 5029. An Act to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, as it is currently effective and as it shall become effective, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic offenses.

S.B. 5034. An Act to amend and reenact § 53.1-202.3 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2 of Chapter 2 of Title 53.1 a section numbered 53.1-40.02, relating to release of prisoners.

S.B. 5080. An Act to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.

EMERGENCY

S.B. 5088. An Act to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

EMERGENCY

/s/ Suzette Denslow

Clerk of the House of Delegates

LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate, pursuant to § 30-14.2 of the Code of Virginia, on the date recorded below, signed the following bills that had been amended in accordance with the recommendations of the Governor and reenrolled:

November 9, 2020

H.B. 5005. (Reenrolled.) An Act to amend and reenact Chapter 1289 of the 2020 Acts of Assembly, which appropriated funds for the 2020-22 Biennium and provided a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2021, and the thirtieth day of June, 2022.

H.B. 5046. (Reenrolled.) An Act to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.

EMERGENCY

H.B. 5058. (Reenrolled.) An Act to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, as it is currently effective and as it shall become effective, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic offenses.

H.B. 5064. (Reenrolled.) An Act to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

EMERGENCY

H.B. 5106. (Reenrolled.) An Act to amend and reenact § 55.1-1245 of the Code of Virginia, relating to landlord and tenant, noncompliance with rental agreement; prohibition on using negative credit information arising from the COVID-19 pandemic against tenants or applicants for tenancy; penalty.

H.B. 5109. (Reenrolled.) An Act to amend and reenact §§ 9.1-102 and 15.2-1705 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 9.1-112.1, relating to the Department of Criminal Justice Services; law-enforcement officer training and qualifications.

H.B. 5115. (Reenrolled.) An Act to provide civil relief to citizens furloughed or otherwise receiving reduced wages or payments due to the state of emergency declared by the Governor in response to the COVID-19 pandemic.

EMERGENCY

H.B. 5148. (Reenrolled.) An Act to amend and reenact § 53.1-202.3 of the Code of Virginia, relating to Department of Corrections; earned sentence credits.

S.B. 5029. (Reenrolled.) An Act to amend and reenact §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, as it is currently effective and as it shall become effective, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300 of the Code of Virginia, relating to issuing citations; possession of marijuana and certain traffic offenses.

S.B. 5034. (Reenrolled.) An Act to amend and reenact § 53.1-202.3 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2 of Chapter 2 of Title 53.1 a section numbered 53.1-40.02, relating to release of prisoners.

S.B. 5080. (Reenrolled.) An Act to amend and reenact §§ 32.1-325, 38.2-3418.16, and 38.2-4319, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to telemedicine services.

EMERGENCY

S.B. 5088. (Reenrolled.) An Act to amend and reenact § 55.1-1245 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan.

EMERGENCY

On motion of Senator McDougle, a leave of absence for the day was granted Senator Suetterlein on account of pressing personal business.

Pursuant to the provisions of Senate Rule 2 (c), the President pro tempore named Senator Jennifer L. McClellan to perform the duties of the Presiding Officer in her absence on Wednesday, December 16, 2020.

ADJOURNMENT SINE DIE

Senator Saslaw was ordered to inform the House of Delegates that the Senate was ready on its part to adjourn sine die.

Senator Lucas moved that the Senate adjourn sine die.

The motion was agreed to.

The President declared the Senate adjourned sine die.

Senator Saslaw was ordered to inform the House of Delegates thereof.

HOUSE COMMUNICATION SUBSEQUENT TO ADJOURNMENT SINE DIE

The following communication was received:

In the House of Delegates
November 9, 2020

The House of Delegates has adjourned sine die.

/s/ Suzette Denslow
Clerk of the House of Delegates

A handwritten signature in black ink, appearing to read "J. E. Fairfax". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Justin E. Fairfax
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with the first letters of each name being capitalized and prominent.

Susan Clarke Schaar
Clerk of the Senate

WEDNESDAY, DECEMBER 16, 2020

The Senate met at 9:00 a.m. at the Capitol in Richmond, Virginia, in Reconvened Session of the 2020 Special Session I and was called to order by the Acting President pro tempore, Senator Jennifer L. McClellan.

The Senate observed a moment of silent prayer.

The Pledge of Allegiance to the Flag of the United States of America was led by Susan Clarke Schaar, Clerk of the Senate.

The roll was called and the following Senators answered to their names:

McClellan, McDougle.

Two Senators were present.

On motion of Senator McDougle, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--2. NAYS--0. RULE 36--0.

YEAS--McClellan, McDougle--2.

NAYS--0.

RULE 36--0.

ADJOURNMENT SINE DIE

Senator McDougle moved that the Senate adjourn sine die.

The motion was agreed to.

The Acting President pro tempore declared the Senate adjourned sine die.

Senator McDougle was ordered to inform the House of Delegates thereof.

**HOUSE COMMUNICATION
SUBSEQUENT TO ADJOURNMENT SINE DIE**

The following communication was received:

In the House of Delegates
December 16, 2020

The House of Delegates has adjourned sine die.

/s/ Suzette Denslow
Clerk of the House of Delegates

A handwritten signature in black ink that reads "Jennifer L. McClellan". The signature is written in a cursive style with a large, prominent initial "J".

Jennifer L. McClellan
Acting President pro tempore of the Senate

A handwritten signature in black ink that reads "Susan Clarke Schaar". The signature is written in a cursive style with a large, prominent initial "S".

Susan Clarke Schaar
Clerk of the Senate

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TABLE OF CODE TITLES OF THE CODE OF VIRGINIA (1950).

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SUBJECT INDEX--Titles of Bills, Resolutions and Documents listed alphabetically under headings of subject matter; all other business transacted by the Senate listed by subject or individual names.

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- 2.1. ADMINISTRATION OF THE GOVERNMENT GENERALLY [Repealed].
- 2.2. ADMINISTRATION OF GOVERNMENT.
3. AGRICULTURE, HORTICULTURE AND FOOD [Repealed].
- 3.1. AGRICULTURE, HORTICULTURE AND FOOD [Repealed].
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- 4.1. ALCOHOLIC BEVERAGE CONTROL ACT.
5. AVIATION [Repealed].
- 5.1. AVIATION.
6. BANKING AND FINANCE [Repealed].
- 6.1. BANKING AND FINANCE [Repealed].
- 6.2. FINANCIAL INSTITUTIONS AND SERVICES.
7. BOUNDARIES, JURISDICTION AND EMBLEMS OF THE COMMONWEALTH [Repealed].
- 7.1. BOUNDARIES, JURISDICTION AND EMBLEMS OF THE COMMONWEALTH [Repealed].
8. CIVIL REMEDIES AND PROCEDURE; EVIDENCE GENERALLY [Repealed].
- 8.01. CIVIL REMEDIES AND PROCEDURE.
- 8.1. COMMERCIAL CODE - GENERAL PROVISIONS [Repealed].
- 8.1A. UNIFORM COMMERCIAL CODE - GENERAL PROVISIONS.
- 8.2. COMMERCIAL CODE - SALES.
- 8.2A. COMMERCIAL CODE - LEASES.
- 8.3. COMMERCIAL CODE - COMMERCIAL PAPER [Repealed].
- 8.3A. COMMERCIAL CODE - NEGOTIABLE INSTRUMENTS.
- 8.4. COMMERCIAL CODE - BANK DEPOSITS AND COLLECTIONS.
- 8.4A. COMMERCIAL CODE - FUNDS TRANSFERS.
- 8.5. COMMERCIAL CODE - LETTERS OF CREDIT [Repealed].
- 8.5A. UNIFORM COMMERCIAL CODE - LETTERS OF CREDIT.
- 8.6. COMMERCIAL CODE - BULK TRANSFERS [Repealed].
- 8.6A. COMMERCIAL CODE - BULK TRANSFERS [Repealed].
- 8.7. COMMERCIAL CODE - WAREHOUSE RECEIPTS, BILLS OF LADING AND OTHER DOCUMENTS OF TITLE.
- 8.8. COMMERCIAL CODE - INVESTMENT SECURITIES [Repealed].
- 8.8A. COMMERCIAL CODE - INVESTMENT SECURITIES.
- 8.9. COMMERCIAL CODE - SECURED TRANSACTIONS; SALES OF ACCOUNTS, CONTRACT RIGHTS AND CHATTEL PAPER [Repealed].
- 8.9A. COMMERCIAL CODE - SECURED TRANSACTIONS.
- 8.10. COMMERCIAL CODE - EFFECTIVE DATE - TRANSITIONAL PROVISIONS.
- 8.11. 1973 AMENDATORY ACT - EFFECTIVE DATE AND TRANSITION PROVISIONS.
9. COMMISSIONS, BOARDS AND INSTITUTIONS GENERALLY [Repealed].
- 9.1. COMMONWEALTH PUBLIC SAFETY.
10. CONSERVATION GENERALLY [Repealed].

- 10.1. CONSERVATION.
- 11. CONTRACTS.
- 12. CORPORATION COMMISSION [Repealed].
- 12.1. STATE CORPORATION COMMISSION.
- 13. CORPORATIONS GENERALLY [Repealed].
- 13.1. CORPORATIONS.
- 14. COSTS, FEES, SALARIES AND ALLOWANCES [Repealed].
- 14.1. COSTS, FEES, SALARIES AND ALLOWANCES [Repealed].
- 15. COUNTIES, CITIES AND TOWNS [Repealed].
- 15.1. COUNTIES, CITIES AND TOWNS [Repealed].
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- 17.1. COURTS OF RECORD.
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- 23.1. INSTITUTIONS OF HIGHER EDUCATION; OTHER EDUCATIONAL AND CULTURAL
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- 24. ELECTIONS [Repealed].
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- 28. FISH, OYSTERS AND SHELLFISH [Repealed].
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- 30. GENERAL ASSEMBLY.
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- 45. MINES AND MINING [Repealed].
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S.B. 5002. Law-enforcement officers; prohibition on the use of neck restraints.
 Adding § 19.2-80.3.
 Patron: Norment
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S.B. 5003. Civil Rights and Policing, Commission on; established, membership, report, sunset provision. Adding §§ 30-391 through 30-397.
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S.B. 5005. Criminal justice training academies; adds to the powers and duties of Department of Criminal Justice Services regarding oversight and evaluation of academies, report. Amending § 9.1-102.
 Patron: Norment
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S.B. 5006. Police and court records; person allowed to petition for expungement of records relating to such person’s conviction for misdemeanors and certain felonies if he has been granted a simple pardon for the crime. Amending §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4.
 Patrons: Norment, et al.
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S.B. 5007. Criminal cases; sentencing reform, procedure for trial by jury, ascertainment of punishment, etc., effective date. Amending §§ 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3.
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 Patrons: Suetterlein, et al.
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S.B. 5009. Alcohol-related offenses; expungement of certain offenses when occurred prior to person’s twenty-first birthday, etc. Amending § 19.2-392.2.
 Patrons: Peake, et al.
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S.B. 5010. Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony. Amending § 18.2-57.
 Patrons: Norment, et al.
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 Patrons: Suetterlein, et al.
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S.B. 5012. Virginia Freedom of Information Act; individual votes of members of the Virginia Parole Board shall be public records and subject to provisions of the Act. Amending § 2.2-3703.
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Tie vote, Chair votes Nay	352-53
Item 313 #16s by Senator Dunnavant rejected	353
Reading of amendment waived	353
Item 313 #17s by Senator Dunnavant rejected	353
Reading of amendment waived	354
Item 114 #1s by Senator McDougle rejected	354
Reconsideration of vote on Item 313 #17s by Senator Dunnavant	354
Tie vote, Chair votes Yea	354-55
Item 313 #17s by Senator Dunnavant agreed to	355
Read third time	381
Passed Senate	381
Statements on vote	381
S.B. 5016. Parole statutes; application of statutes for juveniles and persons committed upon	
felony offenses committed on or after January 1, 1995. Amending § 53.1-165.1.	
Patrons: Edwards, et al.	
Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social	
Services	4
Rereferred to Committee on the Judiciary	25

S.B. 5017. Correctional facility, local; clarifies definition. Amending § 53.1-1.

Patrons: Boysko, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services 5
 Reported with amendments 25
 Rereferred to Committee on Finance and Appropriations 25
 Reported 75
 Constitutional reading dispensed, passed by for day 81
 Passed by for day 90
 Read second time 101
 Reading of amendments waived 102
 Motion to agree to committee amendments 102
 Parliamentary inquiry 102
 Committee amendments passed by temporarily 102
 Substitute No. 1 by Senator Marsden withdrawn 102
 Reading of substitute waived 102
 Motion to agree to substitute No. 2 by Senator Marsden 102
 Passed by for day 102
 Committee amendments rejected 111
 Substitute No. 2 by Senator Marsden withdrawn 111
 Reading of amendments waived 111
 Amendments by Senator Favola agreed to 112
 Engrossed 112
 Read third time and passed 117
 Passed House 386
 Signed by President 407
 Approved by Governor-Chapter 23 (effective 3/1/21)

S.B. 5018. Terminally ill prisoners; conditional release, definition of “terminally ill”, persons serving a sentence for either Class 1 felony, arson when structure burned was occupied, etc., are not eligible for consideration. Adding § 53.1-40.02.

Patrons: Bell, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services 5
 Reported 25
 Rereferred to Committee on Finance and Appropriations 25
 Reported with substitute 75
 Constitutional reading dispensed, passed by for day 81
 Read second time 90
 Reading of substitute waived 91
 Committee substitute agreed to 91
 Engrossed 91
 Engrossment reconsidered 101
 Passed by for day 101
 Amendment by Senator Surovell withdrawn 111
 Reading of amendment waived 111
 Amendment by Senator Bell to the substitute agreed to 111
 Engrossed 111
 Read third time and passed 117
 Passed House with substitute 385
 House substitute rejected 394
 House insisted on substitute and requested committee of conference 401
 Senate acceded to request 404

S.B. 5018 (continued)
 Conferees appointed 405
 Passed by temporarily 412
 Conference report adopted by Senate 612
 Conference report adopted by House 622
 Signed by President 758
 Approved by Governor-Chapter 33 (effective 3/1/21)

S.B. 5019. Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony. Amending § 18.2-57.
 Patrons: Reeves, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 5

S.B. 5020. Public education; voucher program, policies and procedures, etc.
 Adding §§ 22.1-124.1 through 22.1-124.6.
 Patrons: Chase, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 5
 Motion to suspend the Rules, discharge committee, and take up for immediate consideration 67
 Motion withdrawn. 67

S.B. 5021. Public schools; mandatory virtual learning, provision of required technology and Internet service. Amending § 22.1-212.1.
 Patrons: Chase, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 5
 Motion to suspend the Rules, discharge committee, and take up for immediate consideration 67
 Motion withdrawn. 67

S.B. 5022. Workers’ compensation; establishes a presumption that COVID-19 causing death, etc., of any salaried or volunteer firefighter, member of State Police Officers’ Retirement System, etc., is an occupational disease. Amending § 65.2-402.1.
 Patron: Kiggans
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor 5

S.B. 5023. Health care providers; certain immunity during disaster caused by communicable disease when public health threat has been declared, certain liability protection. Amending §§ 8.01-225.01, 8.01-225.02, and 44-146.16.
 Patrons: Norment, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 5

S.B. 5024. Law-enforcement misconduct; Attorney General authorized to file civil suit or inquire into or seek to conciliate any unlawful pattern and practice against the Commonwealth, etc., conciliation agreements with localities. Amending § 2.2-520; adding § 2.2-511.1.
 Patrons: Lucas, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 5
 Reported 25
 Rereferred to Committee on Finance and Appropriations 25
 Reported 75
 Constitutional reading dispensed, passed by for day 81
 Passed by temporarily 91
 Read second time 96
 Reading of amendment waived. 96
 Amendment by Senator Lucas agreed to 96
 Engrossed 96
 Read third time and passed 101
 Passed House 386
 Signed by President 407
 Approved by Governor-Chapter 19 (effective 3/1/21)

S.B. 5025. Emergency orders and regulations; any order or regulation by the Board of Health shall be valid for no more than 30 days and that such order may be extended, etc. Amending §§ 32.1-13, 32.1-20, and 35.1-10.
 Patrons: Newman, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 6
 Reported 24
 Constitutional reading dispensed, passed by for day 30
 Passed by for day 41, 48, 59, 70, 75, 80
 Read second time and engrossed 90
 Read third time and passed 100

S.B. 5026. Nursing homes; publication of information about certain communicable diseases. Amending §§ 32.1-23 and 32.1-41.
 Patrons: Newman, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 6

S.B. 5027. Collective bargaining; no county, city, or town, or like governmental officer, agent, or governing body is vested with or possesses any authority to recognize any labor union or other employee association as a bargaining agent of any law-enforcement agency or its employees, etc. Amending § 40.1-57.2.
 Patrons: Newman, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor 6

S.B. 5028. Elementary and secondary schools, public or private; prohibits Governor from issuing any rule, regulation, or order pursuant to his powers under the Emergency Services and Disaster Law affecting the operation of any school in the Commonwealth, etc. Amending §§ 32.1-13 and 44-146.17.
 Patrons: Newman, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 6

S.B. 5029. Marijuana and certain traffic offenses; no law-enforcement officer may lawfully stop, search, or seize any person, place, etc., solely on basis of odor of marijuana, issuance of citations, etc. Amending §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300.
 Patrons: Lucas, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Transportation 6
 Rereferred to Committee on the Judiciary 25
 Reported with substitute 32
 Constitutional reading dispensed, passed by for day 42, 43
 Passed by temporarily 49
 Read second time 53
 Reading of substitute waived 53
 Committee substitute agreed to 53
 Engrossed 53
 Read third time and passed 57
 Reconsideration of vote on passage 57
 Statement on vote 58
 Passed Senate 58
 Passed House with substitute 142
 House substitute agreed to 366
 Signed by President 407
 Senate concurred in Governor’s recommendation Nos. 1 and 2 762
 Senate concurred in Governor’s recommendation No. 3 763
 House concurred in Governor’s recommendation 795

S.B. 5029 (continued)
 Signed by President as reenrolled. 797
 Enacted, Chapter 51 (effective 3/1/21)

S.B. 5030. Policing reform; acquisition of military property, handling and use of tear gas or other gases and kinetic impact munitions, training for law-enforcement officers in de-escalation techniques, compulsory in-service training standards, guidelines and standards for psychological examinations, change in membership for the Criminal Justice Services Board, etc., report. Amending §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4; adding §§ 2.2-5515, 9.1-112.1, 15.2-1721.1, and 19.2-83.3 through 19.2-83.7.
 Patrons: Locke, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 6
 Reported with substitute 25
 Rereferred to Committee on Finance and Appropriations 25
 Reported with substitute 75
 Constitutional reading dispensed, passed by for day 81
 Read second time 91
 Motion to pass by for day 91
 Motion withdrawn. 91
 Reading of substitute waived 91
 Committee substitute rejected. 91
 Reading of substitute waived 91
 Committee substitute agreed to. 91
 Ruling of Chair, substitute by Senator Stanley ruled out of order 92
 Reading of amendments waived. 93
 Amendments by Senator Stanley to the substitute rejected 93
 Engrossed 93
 Passed by temporarily. 101
 Read third time 105
 Motion to pass; substitute motion to send to Virginia Crime Commission 105
 Ruling of Chair 105
 Motion to recommit to Committee on the Judiciary rejected 105-06
 Ruling of Chair 106
 Passed Senate 106
 Passed House with substitute 385
 House substitute rejected 396
 House insisted on substitute and requested committee of conference 401
 Senate acceded to request 404
 Conferees appointed 405
 Passed by temporarily. 412
 Conference report adopted by Senate 613
 Conference report adopted by House 622
 Signed by President 758
 Approved by Governor-Chapter 37 (effective - see bill)

S.B. 5031. Juneteenth; recognizing June 19th of each year as a legal holiday in the Commonwealth commemorating the announcement of the abolition of slavery in Texas. Amending § 2.2-3300.
 Patrons: Locke, et al.
 Prefiled, presented, ordered printed, and referred to Committee on General Laws and Technology 6
 Reported 54
 Read first time 60

S.B. 5031 (continued)
 Read second time and engrossed 69
 Read third time 74
 Passed by for day 74
 Passed Senate 79
 Passed House 143
 Signed by President 382
 Approved by Governor-Chapter 5 (effective 3/1/21)

S.B. 5032. Assault and battery; eliminates the mandatory minimum term of confinement if committed against a judge, magistrate, law-enforcement officer, firefighter, etc., prosecution. Amending § 18.2-57; adding § 19.2-9.2.
 Patrons: Surovell, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 7
 Reported with substitute 25
 Read first time 27
 Read second time 29
 Reading of substitute waived 29
 Committee substitute agreed to 29
 Engrossed 29
 Read third time and passed 39

S.B. 5033. Court authority in criminal cases; prosecutorial discretion to dispose of a criminal case, effect of dismissal of charges, deferred disposition. Amending § 19.2-265.6; adding § 19.2-298.02.
 Patrons: Surovell, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 7
 Reported with substitute 32
 Constitutional reading dispensed, passed by for day 43
 Read second time 49
 Reading of substitute waived 49
 Committee substitute agreed to 49
 Engrossed 49
 Read third time and passed 57
 Passed House with substitute 142
 House substitute agreed to 366
 Signed by President 408
 Approved by Governor-Chapter 20 (effective 3/1/21)

S.B. 5034. Terminally ill prisoners; conditional release, maximum of 4.5 sentence credits may be earned for each 30 days served on certain sentences, report, effective date. Amending § 53.1-202.3; adding § 53.1-40.02.
 Patrons: Boysko, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services 7
 Reported 25
 Rereferred to Committee on Finance and Appropriations 25
 Reported with substitute 87
 Constitutional reading dispensed, passed by for day 103, 104
 Read second time 112
 Reading of substitute waived 112
 Committee substitute agreed to 112
 Engrossed 112
 Read third time and passed 117
 Passed House with substitute 385
 House substitute rejected 396

S.B. 5034 (continued)
 House insisted on substitute and requested committee of conference 401
 Senate acceded to request 404
 Conferees appointed 405
 Passed by temporarily 412
 Conference report adopted by Senate 614
 Conference report adopted by House 622
 Signed by President 758
 Senate concurred in Governor’s recommendation 764
 Reconsideration of Governor’s recommendation 766-67
 Senate concurred in Governor’s recommendation 767
 House concurred in Governor’s recommendation 795
 Signed by President as reenrolled. 797
 Enacted, Chapter 52 (effective 7/1/22 - see bill)

S.B. 5035. Law-enforcement civilian oversight bodies; governing body of a locality may establish, oversight body shall reflect demographic diversity of locality, duties of oversight body, etc., effective date. Amending §§ 9.1-507 and 15.2-1507; adding § 9.1-601.
 Patrons: Hashmi, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 7
 Reported with substitute 32
 Referred to Committee on Finance and Appropriations 32
 Reported with substitute 75
 Constitutional reading dispensed, passed by for day 81
 Passed by for day 93
 Read second time 102
 Reading of substitute waived 103
 Committee substitute rejected. 103
 Reading of substitute waived 103
 Committee substitute agreed to. 103
 Engrossed 103
 Read third time and passed 110
 Passed House with substitute 142
 House substitute rejected 367
 House insisted on substitute and requested committee of conference 387
 Senate acceded to request 389
 Conferees appointed 390
 Passed by temporarily 412
 Conference report adopted by Senate 615
 Conference report adopted by House 622
 Signed by President 758
 Approved by Governor-Chapter 30 (effective 7/1/21)

S.B. 5036. Alcoholic beverage control; local special events license, limitations on events during public health emergency. Amending §§ 4.1-206 and 4.1-206.3.
 Patrons: McPike, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services 7
 Reported 25
 Read first time. 27
 Read second time and engrossed 29
 Read third time and passed 38-39
 Passed House with amendment 398
 House amendment agreed to. 400

S.B. 5036 (continued)
Signed by President 624
Approved by Governor-Chapter 34 (effective 10/28/20)

S.B. 5037. Criminal Justices Services Board; changes membership of the Committee on Training. Amending § 9.1-112.
Patrons: Favola, et al.
Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 7
Reported with substitute 32
Rereferred to Committee on Finance and Appropriations 32

S.B. 5038. Mental health crises; Department of Criminal Justice Services to advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement agencies cooperation, with development and implementation of the mental health awareness response and community understanding services (Marcus) alert system, definitions, protocol and training for law-enforcement participation in Marcus alert system, response to mental health crises, comprehensive crisis system, report. Amending § 9.1-102; adding §§ 9.1-193 and 37.2-311.1.
Patrons: McPike, et al.
Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 7
Reported with substitute 32
Rereferred to Committee on Finance and Appropriations 32
Reported with substitute 88
Constitutional reading dispensed, passed by for day 103, 104
Read second time 112
Reading of substitute waived 112
Committee substitute rejected. 112
Reading of substitute waived 112
Committee substitute agreed to. 112
Engrossed 112
Read third time and passed. 117
Reconsideration of vote on passage 118
Passed Senate 118
Passed House with substitute 385
House substitute rejected 397
House insisted on substitute and requested committee of conference 401
Senate acceded to request 405
Conferees appointed 405
Passed by temporarily. 412
Passed by for day 615
Conference report adopted by House 622
Conference report adopted by Senate 755
Signed by President 759
Approved by Governor-Chapter 42 (effective 3/1/21)

S.B. 5039. Emergency Services and Disaster Law; powers and duties of Governor, purchase of personal protective equipment (PPE) during a disaster caused by a communicable disease of public health threat, clarification of definition of “PPE,” awarding contracts, purchasing PPE for private, nongovernmental entities. Amending §§ 2.2-4343 and 44-146.17.
Patrons: Marsden, et al.
Prefiled, presented, ordered printed, and referred to Committee on General Laws and Technology 7
Reported 54
Rereferred to Committee on Finance and Appropriations 54
Reported with amendment 72

S.B. 5039 (continued)
 Read first time 75
 Read second time 79
 Reading of amendment waived 80
 Committee amendment agreed to 80
 Engrossed 80
 Read third time and passed 88
 Passed House with substitute 142
 House substitute agreed to 367
 Signed by President 408
 Approved by Governor–Chapter 17 ((effective 3/1/21)

S.B. 5040. Attorney General; prosecution of criminal cases involving certain felonies committed by law-enforcement officers. Amending § 2.2-511.
 Patrons: Ebbin, et al.
 Prefiled, presented, ordered printed, and referred to Committee on General Laws and Technology 8
 Rereferred to Committee on the Judiciary 25

S.B. 5041. Concealed handgun permits; demonstration of competence, changes effective date. Amending second enactment of Chapters 390 and 1130, 2020 Acts.
 Patrons: Stuart, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 8
 Reported with amendments 32
 Constitutional reading dispensed, passed by for day 42, 43
 Read second time 47
 Reading of amendments waived 48
 Committee amendments agreed to 48
 Engrossed 48
 Read third time and passed 56

S.B. 5042. Nursing homes, certified nursing facilities, and hospice facilities; during a public health emergency related to the COVID-19 virus, facilities to establish a protocol to allow in-person visitation and virtual visitation, notice to family on facility website, written or electronic communication. Amending §§ 32.1-127 and 32.1-162.5.
 Patrons: Kiggans, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 8
 Reported 24
 Constitutional reading dispensed, passed by for day 30
 Passed by for day 41
 Read second time 48
 Amendments by Senator Cosgrove withdrawn 49
 Reading of substitute waived 49
 Substitute by Senator Kiggans agreed to 49
 Engrossed 49
 Read third time and passed 56
 Passed House with amendments 142
 House amendments agreed to 368
 Signed by President 408
 Approved by Governor–Chapter 11 (effective 10/21/20)

S.B. 5043. Police and court records; Expungement Fee Fund created, expungement of certain records. Amending §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4; adding § 17.1-205.1.
 Patrons: Deeds, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 8
 Reported with substitute 32
 Rereferred to Committee on Finance and Appropriations 32

S.B. 5043 (continued)
 Reported with substitute 76
 Constitutional reading dispensed, passed by for day 81
 Read second time 89
 Reading of substitute waived 89
 Committee substitute rejected. 89
 Reading of substitute waived 90
 Committee substitute agreed to. 90
 Engrossed 90
 Read third time and passed 100
 Passed House with substitute 385
 House substitute rejected 397
 House insisted on substitute and requested committee of conference 402
 Senate acceded to request 405
 Conferees appointed 405

S.B. 5044. Housing; extension of approvals to address crisis, extends sunset provision.
 Amending § 15.2-2209.1 and Chapter 660, 2017 Acts.
 Patron: Deeds
 Prefiled, presented, ordered printed, and referred to Committee on Local Government 8

S.B. 5045. Virginia Criminal Sentencing Commission and Department of Planning and Budget, et al.; effective provision, pilot programs, required to prepare fiscal impact statements. Amending § 30-19.1:4.
 Patrons: Surovell, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Rules 8
 Reported with amendment 29
 Constitutional reading dispensed, passed by for day 31
 Read second time 41
 Reading of amendment waived. 42
 Committee amendment agreed to 42
 Engrossed 42
 Read third time and passed 47

S.B. 5046. Mandatory minimum punishment; punishments shall not apply to any sentence imposed for an offense committed on or after January 1, 2021. Adding § 18.2-12.2.
 Patrons: Edwards, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 8

S.B. 5047. Capitol Square Preservation Council; powers and duties, review and approval of plans for changes to artifacts contained within the Capitol Building. Amending § 30-194.
 Patrons: Norment, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Rules 8
 Reported 29
 Constitutional reading dispensed, passed by for day 31
 Passed by for day 39
 Read second time and engrossed 47, 48
 Passed by for day 56
 Read third time and passed 67

S.B. 5048. Emergency Services and Disaster Law; powers and duties of the Governor, prohibition on certain executive orders related to the COVID-19 pandemic.
 Patrons: Peake, et al.
 Prefiled, presented, ordered printed, and referred to Committee on General Laws and Technology 9

S.B. 5049. Law-enforcement officers; prohibition on the use of neck restraints, Class 1 misdemeanor. Adding § 18.2-51.8.
 Patrons: Morrissey, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 9
 Rereferred to Committee on Finance and Appropriations 32

S.B. 5050. Parole; Department of Corrections shall release a prisoner no sooner than 21 business days after the date of notification by the Virginia Parole Board to the appropriate attorney for the Commonwealth of the decision to grant parole, etc.
 Amending §§ 53.1-136 and 53.1-155.
 Patrons: Obenshain, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services 9
 Reported with amendments 36
 Constitutional reading dispensed, passed by for day 43
 Passed by for day 49
 Read second time 59
 Reading of amendments waived 59
 Committee amendments agreed to 59
 Motion to engross and read by title third time 59
 Substitute motion to rerefer to Committee on Finance and Appropriations 59
 Substitute motion withdrawn 59
 Passed by temporarily 59
 Committee amendments reconsidered 60
 Committee amendments rejected 60
 Passed by for day 60, 70, 75
 Reading of substitute waived 80
 Substitute by Senator Surovell agreed to 80
 Passed by temporarily 80
 Reading of amendment waived 82
 Amendment by Senator Obenshain to the substitute agreed to 82
 Engrossed 82
 Read third time and passed 89

S.B. 5051. Virginia Residential Landlord and Tenant Act; temporary prohibition against landlord termination of rental agreements or actions to obtain possession of a dwelling unit under certain circumstances.
 Patrons: Hashmi, et al.
 Prefiled, presented, ordered printed, and referred to Committee on General Laws and Technology 9
 Reported with substitute 54
 Rereferred to Committee on Finance and Appropriations 54

S.B. 5052. Law-enforcement agencies; creates a special nonreverting fund to be known as the Body-Worn Camera System Fund to assist state or local agencies with costs of purchasing, etc., body-worn camera systems. Adding § 9.1-116.7.
 Patron: Reeves
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 9
 Reported 32
 Constitutional reading dispensed, passed by for day 42, 43
 Read second time 47
 Reading of amendments waived 48
 Amendments by Senator Norment agreed to 48
 Engrossed 48
 Read third time and passed 56

S.B. 5053. Burning cross on property of another or public place with intent to intimidate;
 increases penalty. Amending § 18.2-423.
 Patron: Reeves
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 9
 Reported with substitute 32
 Rereferred to Committee on Finance and Appropriations 32
 Reported 76
 Constitutional reading dispensed, passed by for day 81
 Read second time 93
 Motion to recommit to Committee on Finance and Appropriations; substitute motion to pass by for
 day. 93
 Previous question ordered. 93-94
 Point of order 94
 Recommitted to Committee on Finance and Appropriations 94

**S.B. 5054. Displaying noose on property of another or a highway or other public place
 with intent to intimidate;** increases penalty. Amending § 18.2-423.2.
 Patron: Reeves
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 9

S.B. 5055. Placing swastika on certain property with intent to intimidate; increases
 penalty. Amending § 18.2-423.1.
 Patron: Reeves
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 9

S.B. 5056. Riots; person is guilty of a Class 6 felony if commits an act of violence during a riot,
 etc. Amending § 18.2-405.
 Patrons: Reeves, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 10

S.B. 5057. Unlawful assembly; acts of violence, penalty. Amending § 18.2-406.
 Patrons: Reeves, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 10

S.B. 5058. Remaining at place of riot or unlawful assembly after warning to disperse;
 increases penalty. Amending § 18.2-407.
 Patrons: Reeves, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 10

S.B. 5059. Injury to property or persons by persons unlawfully or riotously assembled;
 penalty. Amending § 18.2-414.
 Patrons: Reeves, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 10

S.B. 5060. Obstructing emergency services personnel in performance of mission; increases
 penalty. Amending § 18.2-414.1.
 Patrons: Reeves, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 10

S.B. 5061. Abusive language to another; clarifies that the crime applies to persons cursing or
 abusing law-enforcement officers or emergency personnel who are performing their
 assigned duties. Amending § 18.2-416.
 Patrons: Reeves, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 10

S.B. 5062. Picketing or disrupting tranquility of home; increases penalty.
 Amending § 18.2-419.
 Patrons: Reeves, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 10

S.B. 5063. Law-enforcement officers; decertification, acts that compromise integrity or credibility. Amending § 15.2-1707.
 Patron: Reeves
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 10

S.B. 5064. Employers; reporting outbreaks of COVID-19.
 Patrons: Lewis, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 10

S.B. 5065. Law-enforcement officer; civil action for deprivation of rights.
 Adding § 8.01-42.6.
 Patrons: Morrissey, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 11

S.B. 5066. Workers’ compensation; establishes a presumption that COVID-19 causing death or disability of firefighters, emergency medical services personnel, law-enforcement officers, etc., as an occupational disease. Amending § 65.2-402.1.
 Patrons: Saslaw, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor 11
 Reported with substitute 28
 Rereferred to Committee on Finance and Appropriations 29

S.B. 5067. COVID-19 virus; immunity from civil claims related to transmission of or exposure to the virus, definitions.
 Patrons: Saslaw, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 11
 Reported with substitute 46
 Read first time 53
 Passed by for day 59
 Read second time 70
 Substitute proposed by the Committee on the Judiciary. 70
 Amendments to the committee substitute offered by Senator Dunnavant 70
 Substitute by Senator Petersen offered. 70
 Stricken from Calendar. 70

S.B. 5068. Student safety drills and student health screenings; school boards to waiver drills and screenings.
 Patron: Peake
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 11
 Reported 24
 Constitutional reading dispensed, passed by for day 29, 30
 Read second time and engrossed 39, 41
 Read third time and passed 46-47

S.B. 5069. Public schools; declared state of emergency, average daily membership.
 Adding § 22.1-97.1.
 Patrons: Ruff, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 11
 Reported 24
 Rereferred to Committee on Finance and Appropriations 25

S.B. 5070. Nurse practitioners; practice without a practice agreement.
 Amending § 54.1-2957.
 Patrons: Kiggans, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 11

S.B. 5071. Virginia Retirement System; retired law-enforcement officers employed as school security officers. Amending § 51.1-155.
 Patrons: Cosgrove, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Finance and Appropriations 11

S.B. 5072. Emergency Services and Disaster Law; immunity from liability, sheriffs’ offices and regional jails. Amending § 44-146.23.
 Patrons: DeSteph, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 11

S.B. 5073. Riots and unlawful assemblies; dangerous weapons, penalty. Amending §§ 18.2-405 and 18.2-406.
 Patron: DeSteph
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 12

S.B. 5074. Emergency medical services and equipment at the site of a riot or unlawful assembly; Class 6 felony for any person to damage the operation of any equipment or apparatus, etc. Amending §§ 18.2-151.1 and 18.2-414.1.
 Patron: DeSteph
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 12

S.B. 5075. Injury to property or persons by persons unlawfully or riotously assembled; penalty. Amending § 18.2-414.
 Patron: DeSteph
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 12

S.B. 5076. Public and private employers; paid sick leave to eligible employees that can be used during a pandemic. Adding §§ 40.1-27.4 and 40.1-33.3 through 40.1-33.16.
 Patrons: Favola, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor 12

S.B. 5077. Emergency laws; limits powers and duties of Governor. Amending § 44-146.17.
 Patrons: Stanley, et al.
 Prefiled, presented, ordered printed, and referred to Committee on General Laws and Technology 12

S.B. 5078. Collective bargaining; no county, city, or town, or like governmental officer, agent, or governing body is vested with or possesses any authority to recognize any labor union or other employee association as a bargaining agent of any law-enforcement agency or its employees, etc. Amending § 40.1-57.2.
 Patron: Stanley
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor 12

S.B. 5079. Law-enforcement free zones and standing down during a riot or unlawful assembly; civil action. Adding § 8.01-42.6.
 Patrons: Stanley, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 12

S.B. 5080. Telemedicine services; Board of Medical Assistance Services to amend state plan for medical assistance services to provide for payment of assistance for medically necessary health care services provided through telemedicine services, regardless of originating site, definition, etc. Amending §§ 32.1-325, 38.2-3418.16, and 38.2-4319.
 Patrons: Barker, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 12
 Reported with substitute 24
 Constitutional reading dispensed, passed by for day 29, 30
 Read second time 39
 Reading of substitute waived 40
 Committee substitute agreed to 40
 Engrossed 41

S.B. 5080 (continued)
 Read third time and passed 46-47
 Passed House with amendments 142
 House amendments agreed to 368-69
 Signed by President 408
 Senate concurred in Governor’s recommendation 765
 House concurred in Governor’s recommendation 795
 Signed by President as reenrolled. 797
 Enacted, Chapter 53 (effective 11/9/20)

S.B. 5081. Outbreaks of communicable disease of public health threat; posting of information about cases, “reporting entity.” Adding § 32.1-37.01.
 Patrons: Barker, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 13
 Reported with substitute 24
 Constitutional reading dispensed, passed by for day 30
 Read second time 39
 Reading of substitute waived 41
 Ruling of Chair 41
 Committee substitute agreed to. 41
 Reading of amendment waived. 41
 Amendment by Senator Barker agreed to. 41
 Engrossed 41
 Read third time and passed 46-47
 Passed House with amendment 142
 House amendment rejected. 369
 House insisted on amendment and requested committee of conference 387
 Senate acceded to request 389
 Conferees appointed 390
 Passed by temporarily. 412
 Conference report adopted by Senate 616
 Conference report adopted by House 622
 Signed by President 759
 Approved by Governor-Chapter 24 (effective 10/28/20)

S.B. 5082. Hospices, certain, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability, COVID-19. Adding § 8.01-225.03.
 Patrons: Marsden, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 13
 Reported with substitute 46
 Read first time. 53
 Read second time 58
 Reading of substitute waived 58
 Committee substitute agreed to. 59
 Passed by for day 59
 Reconsideration of vote to pass by for day. 60
 Committee substitute reconsidered 61
 Passed by for day 61
 Committee substitute agreed to. 68
 Engrossed 68
 Read third time and passed 74
 Passed House 143
 Signed by President 382
 Approved by Governor-Chapter 7 (effective 10/13/20)

S.B. 5083. School boards; board (as term is defined in section 22.1-1 of the Code of Virginia) required to post on its website the COVID-19 virus mitigation plan.
 Patrons: McClellan and Hashmi, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 13
 Reported 24
 Constitutional reading dispensed, passed by for day 30
 Read second time and engrossed 39, 41
 Read third time and passed 46-47
 Passed House with amendment 143
 House amendment agreed to 369
 Signed by President 408
 Approved by Governor-Chapter 9 (effective 10/21/20)

S.B. 5084. Mental health awareness response and community understanding services (Marcus) alert system; Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services shall support development and establishment in localities and areas throughout the Commonwealth. Amending § 9.1-102; adding §§ 9.1-193 through 9.1-196.
 Patrons: McClellan, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 13

S.B. 5085. Electric utility regulation; triennial review proceeding, emergency investigations, administration of earnings. Amending § 56-585.1.
 Patrons: Bell, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor 13

S.B. 5086. Emergency Housing Stability Protection Act; creates provisions that can be activated by the Governor by executive order pursuant to a declared state of emergency, etc. Adding §§ 55.1-3100 and 55.1-3101.
 Patron: Bell
 Prefiled, presented, ordered printed, and referred to Committee on General Laws and Technology 13

S.B. 5087. Telemedicine services; Board of Medical Assistance Services to amend state plan for medical assistance services to provide for payment of assistance for medically necessary health care services provided through telemedicine services, regardless of originating site, etc. Amending §§ 32.1-325, 38.2-3418.16, and 38.2-4319.
 Patron: Dunnavant
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 13

S.B. 5088. Virginia Residential Landlord and Tenant Act; landlord remedies, noncompliance with rental agreement, payment plan, sunset provision. Amending § 55.1-1245.
 Patrons: Ebbin, et al.
 Prefiled, presented, ordered printed, and referred to Committee on General Laws and Technology 13
 Reported with substitute 28
 Constitutional reading dispensed, passed by for day 31
 Read second time 39
 Reading of substitute waived 40
 Committee substitute agreed to 40
 Engrossed 41
 Read third time and passed 46-47
 Passed House with substitute 142
 House substitute rejected 370
 House insisted on substitute and requested committee of conference 388
 Senate acceded to request 389-90

S.B. 5088 (continued)
 Conferees appointed 390
 Passed by temporarily 412
 Conference report adopted by Senate 617
 Conference report adopted by House 622
 Signed by President 759
 Senate concurred in Governor’s recommendation Nos. 1 and 2 766
 Senate concurred in Governor’s recommendation Nos. 3 and 4 766
 House concurred in Governor’s recommendation 796
 Signed by President as reenrolled. 797
 Enacted, Chapter 54 (effective 11/9/20)

S.B. 5089. Guests of transient lodging facilities impacted by the COVID-19 pandemic;
 application of the Virginia Residential Landlord and Tenant Act.
 Patrons: Locke, et al.
 Prefiled, presented, ordered printed, and referred to Committee on General Laws and
 Technology 14

S.B. 5090. COVID-19 virus; Commissioner of Health shall make available to the public on a
 website maintained by Department of Health information about confirmed cases by week
 and by health district, confirmed cases by age group and by race and ethnicity, etc.
 Patrons: Dunnivant, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 14
 Reported with amendments 24
 Constitutional reading dispensed, passed by for day 30
 Read second time 39
 Reading of amendments waived 40
 Committee amendments rejected 40
 Reading of substitute waived 40
 Substitute by Senator Dunnivant agreed to 40
 Engrossed 41
 Read third time and passed 46-47
 Passed House with substitute with amendment 142
 House substitute with amendment agreed to 370
 Signed by President 408
 Approved by Governor-Chapter 13 (effective 3/1/21)

S.B. 5091. Student growth measurement system; Department of Education to create a system
 that evaluates, etc., for use in public schools during the COVID-19 pandemic.
 Patron: Dunnivant
 Prefiled, presented, ordered printed, and referred to Committee on Rules 14

S.B. 5092. Income tax, state; credits and deductions for household and dependent care
 services. Amending § 58.1-322.03; adding § 58.1-339.13.
 Patrons: Dunnivant, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Finance and
 Appropriations 14

S.B. 5093. Virtual Virginia; community college dual enrollment courses.
 Amending § 22.1-212.2.
 Patron: Dunnivant
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 14

S.B. 5094. School boards; paid leave for teachers in local school division up to 14 days in the
 event the teacher has been exposed to COVID-19, etc.
 Patrons: Dunnivant, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 14
 Reported 24
 Rereferred to Committee on Finance and Appropriations 25

S.B. 5095. Rapid diagnostic testing; availability to all essential workers, definitions.
 Adding § 32.1-42.2.
 Patrons: Dunnivant, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 14
 Reported with substitute 24
 Constitutional reading dispensed, passed by for day 30
 Passed by for day 39
 Read second time 47
 Passed by temporarily 48
 Reading of substitute waived 52
 Committee substitute rejected 53
 Substitute No.1 by Senator Dunnivant withdrawn 53
 Reading of substitute waived 53
 Substitute No. 2 by Senator Dunnivant agreed to 53
 Engrossed 53
 Read third time and passed 56

S.B. 5096. Child care providers; personal protective equipment during certain declared states of emergency for essential workers. Adding § 63.2-1714.1.
 Patrons: Dunnivant, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services 14
 Reported 36
 Constitutional reading dispensed, passed by for day 42, 43
 Read second time and engrossed 47, 48
 Read third time and passed 56

S.B. 5097. Workers’ compensation; establishes a presumption that COVID-19 causing death or disability of firefighters, emergency medical services personnel, law-enforcement officers, etc., as an occupational disease. Amending § 65.2-402.1.
 Patron: Vogel
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor 15

S.B. 5098. COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment.
 Patrons: Vogel, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 15

S.B. 5099. COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment, definitions.
 Patrons: Vogel, et al.
 Prefiled, presented, ordered printed, and referred to Committee on the Judiciary 15

S.B. 5100. Public schools; excuses from school attendance children diagnosed with COVID-19 or children with a household member diagnosed with the virus.
 Amending § 22.1-254.
 Patrons: Dunnivant, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 15
 Reported 25
 Constitutional reading dispensed, passed by for day 30
 Read second time and engrossed 39, 41
 Read third time and passed 46-47

S.B. 5101. Private school employees and volunteers; essential workers, personal protective equipment during certain declared states of emergency. Adding § 22.1-271.9.
 Patrons: Dunnivant, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 15
 Reported 25

S.B. 5101 (continued)
 Constitutional reading dispensed, passed by for day 30
 Read second time and engrossed 39, 41
 Read third time and passed 46-47

S.B. 5102. Income tax, state; credit for landlords for rent forgone due to the COVID-19 pandemic. Adding § 58.1-339.13.
 Patrons: Chafin, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Finance and Appropriations 15

S.B. 5103. Parole; eligibility, persons convicted of murder, etc. Amending § 53.1-151.
 Patron: Chafin
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services 15

S.B. 5104. Workers’ compensation; establishes a presumption that COVID-19 causing death or disability of firefighters, emergency medical services personnel, law-enforcement officers, etc., as an occupational disease. Amending § 65.2-402.1.
 Patron: Deeds
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor 15

S.B. 5105. Nursing homes; outbreaks of communicable disease, posting of information. Amending § 32.1-41; adding § 32.1-37.01.
 Patron: Suetterlein
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health 16

S.B. 5106. Local land use approvals; extension of approvals to address the COVID-19 pandemic. Adding § 15.2-2209.1:1.
 Patrons: Lewis, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Local Government 16
 Reported with substitute 28
 Constitutional reading dispensed, passed by for day 43
 Read second time 50
 Reading of substitute waived 50
 Committee substitute agreed to 50
 Engrossed 50
 Read third time and passed 58
 Passed House with amendment 399
 House amendment agreed to 401
 Signed by President 624
 Approved by Governor-Chapter 40 (effective 3/1/21)

S.B. 5107. Unemployment compensation; extends the date by which the Virginia Employment Commission is required to establish and implement a short-time compensation program not later than January 1, 2022, repeals provisions that established a program that provides employers with option of reducing hours worked by employees, etc. Amending § 60.2-712; repealing third and fourth enactments of Chapter 1261, 2020 Acts.
 Patrons: McPike, et al.
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor 16
 Reported with amendment 45
 Read first time 53
 Read second time 59
 Reading of amendment waived 59
 Committee amendment agreed to 59
 Engrossed 60
 Read third time and passed 68
 Reconsideration of vote on passage 68

S.B. 5107 (continued)
 Passed Senate 68
 Defeated by House 387

S.B. 5108. Concealed handgun permit; local control of firearms. Amending § 15.2-915.
 Patrons: Chafin, et al.
 Presented, ordered printed, and referred to Committee on the Judiciary 22

S.B. 5109. Nursing home and assisted living facility residents and employees; first priority for testing for COVID-19 virus. Adding § 32.1-45.5.
 Patrons: Chafin, et al.
 Presented, ordered printed, and referred to Committee on Education and Health 22
 Reported 38
 Read first time 52
 Passed by for day 59
 Read second time 68
 Reading of substitute waived 69
 Substitute by Senator Chafin agreed to 69
 Engrossed 69
 Read third time and passed 74

S.B. 5110. Alcohol and marijuana-related offenses; person allowed to petition for expungement of convictions and deferred disposition dismissals when the offense occurred prior to the person’s twenty-first birthday, etc. Amending §§ 19.2-389.3, 19.2-392.2, and 19.2-392.4.
 Patron: McDougle
 Presented, ordered printed, and referred to Committee on the Judiciary 22

S.B. 5111. Emergency Services and Disaster Law; limits duration of executive orders issued by Governor to no more than 30 days from date of issuance, unless General Assembly takes action on order, Governor shall thereafter be prohibited from issuing the same order, etc. Amending § 44-146.17.
 Patron: McDougle
 Presented, ordered printed, and referred to Committee on General Laws and Technology 22

S.B. 5112. Law-enforcement officers; decertification, acts that compromise integrity or credibility. Amending § 15.2-1707.
 Patron: McDougle
 Presented, ordered printed, and referred to Committee on the Judiciary 22

S.B. 5113. Crisis intervention team training; appropriates a sum sufficient to provide basic and advanced training to all state and local law-enforcement officers.
 Patron: McDougle
 Presented, ordered printed, and referred to Committee on Finance and Appropriations 22

S.B. 5114. School boards; each board to make available in-person instruction to each enrolled student when any residential area in the local school division is not capable of receiving Internet access at certain download and upload speeds. Amending § 22.1-79.
 Patron: McDougle
 Presented, ordered printed, and referred to Committee on Education and Health 23

S.B. 5115. Broadband services; appropriates to the Department of Housing and Community Development a sum sufficient to expand access to services in underserved and unserved areas of the Commonwealth.
 Patron: McDougle
 Presented, ordered printed, and referred to Committee on Commerce and Labor 23
 Rereferred to Committee on Finance and Appropriations 46

S.B. 5116. In-home consumer-directed services; electronic visit verification, exception. Adding § 32.1-331.04.
 Patrons: McDougle, et al.
 Presented, ordered printed, and referred to Committee on Education and Health 23

S.B. 5116 (continued)
 Reported 38
 Rereferred to Committee on Finance and Appropriations 38
 Reported 72
 Read first time 75
 Read second time and engrossed 80
 Read third time and passed 88-89

S.B. 5117. Emergency Services and Disaster Law; powers and duties of the Governor, executive orders, penalty, sunset provision. Amending § 44-146.17.
 Patron: Deeds
 Presented, ordered printed, and referred to Committee on General Laws and Technology 26
 Reported 62
 Read first time 71
 Read second time and engrossed 75
 Read third time and passed 79
 Passed House with amendment 142
 House amendment agreed to 371
 Statement on vote 371
 Signed by President 408
 Approved by Governor-Chapter 15 (effective 3/1/21)

S.B. 5118. Emergency Debt Repayment Plan; every jurisdictional utility shall develop a Plan for arrearages accrued during a state of emergency, etc., by residential customers, report.
 Patrons: McClellan, et al.
 Presented, ordered printed, and referred to Committee on Commerce and Labor 26
 Reported with substitute 61
 Rereferred to Committee on Finance and Appropriations 62
 Reported with amendments 88
 Constitutional reading dispensed, passed by for day 103, 104
 Read second time 112
 Reading of substitute waived 113
 Committee substitute agreed to 113
 Reading of amendments waived 113
 Committee amendments agreed to 113
 Engrossed 113
 Read third time and passed 118
 Reconsideration of vote on passage 118-19
 Passed Senate 119

S.B. 5119. Virginia Retirement System; average final compensation. Amending § 51.1-124.3.
 Patron: Ruff
 Presented, ordered printed, and referred to Committee on Finance and Appropriations 33

S.B. 5120. Elections, Department of; appropriations to be used to provide prepaid postage for return of absentee ballots for November 3, 2020, election, mailed absentee ballots shall be returned by mail to general registrar’s office, in person to general registrar, to a drop-off location, etc. Amending Chapter 1289, 2020 Acts.
 Patrons: Howell, et al.
 Presented, ordered printed, and referred to Committee on Finance and Appropriations 33
 Reported with substitute 35
 Constitutional reading dispensed, passed by for day 43
 Read second time 50
 Reading of substitute waived 50
 Committee substitute rejected 50
 Reading of substitute waived 50
 Substitute by Senator Howell agreed to 50

S.B. 5120 (continued)
 Reading of amendment waived. 51
 Amendment by Senator Deeds agreed to 51
 Ruling of Chair, amendment No. 1 by Senator Newman out of order 51
 Reading of amendment waived. 51
 Amendment No. 2 by Senator Newman rejected 51
 Reading of amendment waived. 52
 Amendment by Senator Ruff rejected. 52
 Engrossed 52
 Read third time and passed. 58
 Passed House 86
 Signed by President 82
 Approved by Governor-Chapter 1 (effective 9/4/20)

S.B. 5121. Marriage; persons who may celebrate rites, authorizes current members of the General Assembly. Amending § 20-25.
 Patron: Cosgrove
 Presented, ordered printed, and referred to Committee on the Judiciary 38

S.J.R. 5001. Executive orders; Governor urged to rescind orders declaring a public health emergency and imposing on citizens, businesses, and schools due to the COVID-19 pandemic.
 Patron: Peake
 Prefiled, presented, ordered printed, and referred to Committee on Rules 16

S.R. 501. Kotz, Nathan K.; recording sorrow upon death.
 Patron: Ebbin
 Prefiled, presented, and laid on Clerk’s Desk. 16
 Engrossed and agreed to by Senate. 26

S.R. 502. Dawkins, Nolan; commending.
 Patron: Ebbin
 Prefiled, presented, and laid on Clerk’s Desk. 16
 Passed by for day 27

S.R. 503. Senate; 2020 Special Session I operating resolution.
 Patron: Locke
 Prefiled, presented, ordered printed, and referred to Committee on Rules 16
 Rules suspended 18
 Committee discharged 18
 Readings waived. 18
 Engrossment waived. 18
 Taken up for immediate consideration 18
 Agreed to by Senate 18

S.R. 504. Parker, George Issac, Jr.; recording sorrow upon death.
 Patron: Lewis
 Prefiled, presented, and laid on Clerk’s Desk. 16
 Engrossed and agreed to by Senate. 26

S.R. 505. Virginia Hospital & Healthcare Association, Virginia’s hospitals, and hospital workers; commending.
 Patrons: Saslaw, et al.
 Prefiled, presented, and laid on Clerk’s Desk. 16
 Engrossed and agreed to by Senate. 26

S.R. 506. Sze, Daniel X.; recording sorrow upon death.
 Patron: Saslaw
 Prefiled, presented, and laid on Clerk’s Desk. 16
 Engrossed and agreed to by Senate. 26

S.R. 507. Hairston, Joe Louis; recording sorrow upon death.
 Patron: Stanley
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Engrossed and agreed to by Senate. 26

S.R. 508. Smith, Darryl C., Sr.; recording sorrow upon death.
 Patrons: Boysko, et al.
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Engrossed and agreed to by Senate. 26

S.R. 509. Bryant, James Orris, Sr.; commending.
 Patron: Newman
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Engrossed and agreed to by Senate. 26

S.R. 510. Thomas, Fitz Alexander Campbell; recording sorrow upon death.
 Patrons: Boysko, et al.
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Engrossed and agreed to by Senate. 26

S.R. 511. Gardner, Ricky; commending.
 Patron: Newman
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Engrossed and agreed to by Senate. 26

S.R. 512. Taylor, James Wesley, Sr.; recording sorrow upon death.
 Patron: Locke
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Engrossed and agreed to by Senate. 26

S.R. 513. Hill, Jimmy C.; recording sorrow upon death.
 Patron: Chafin
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Engrossed and agreed to by Senate. 26

S.R. 514. Browning, R. Wayne, Sr.; recording sorrow upon death.
 Patron: Lewis
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Passed by for day 26
 Engrossed and agreed to by Senate. 30

S.R. 515. Parker, David McMath; recording sorrow upon death.
 Patron: Lewis
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Passed by for day 26
 Engrossed and agreed to by Senate. 30

S.R. 516. Vye, Lloyd J.; commending.
 Patron: Surovell
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Engrossed and agreed to by Senate. 26

S.R. 517. Cave Spring High School boys’ basketball team; commending.
 Patron: Suetterlein
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Engrossed and agreed to by Senate. 26

S.R. 518. Hines, Patricia Swecker; commending,
 Patron: Suetterlein
 Prefiled, presented, and laid on Clerk’s Desk. 17
 Engrossed and agreed to by Senate. 26

S.R. 519. Catoctin Creek Distilling Company; commending.
 Patron: Bell
 Prefiled, presented, and laid on Clerk’s Desk 17
 Engrossed and agreed to by Senate. 26

S.R. 520. Disabled American Veterans; commemorating its 100th anniversary.
 Patrons: Reeves, et al.
 Presented and laid on Clerk’s Desk 26
 Engrossed and agreed to by Senate. 30

S.R. 521. Agricola, Ira; commending.
 Patrons: DeSteph, et al.
 Presented and laid on Clerk’s Desk 29
 Passed by for day 43
 Engrossed and agreed to by Senate. 52

S.R. 522. West, Richard Duane; recording sorrow upon death.
 Patron: DeSteph
 Presented and laid on Clerk’s Desk 29
 Engrossed and agreed to by Senate. 43

S.R. 523. Mumejian, Michael George; recording sorrow upon death.
 Patron: DeSteph
 Presented and laid on Clerk’s Desk 29
 Engrossed and agreed to by Senate. 43

S.R. 524. Human Food RVA; commending.
 Patron: DeSteph
 Presented and laid on Clerk’s Desk 29
 Engrossed and agreed to by Senate. 43

S.R. 525. Artemel, Engin Mehmet; recording sorrow upon death.
 Patrons: Ebbin, et al.
 Presented and laid on Clerk’s Desk 35
 Engrossed and agreed to by Senate. 43

S.R. 526. Bowen, Clifford T.; commending.
 Patron: Norment
 Presented and laid on Clerk’s Desk 38
 Engrossed and agreed to by Senate. 52

S.R. 527. Pantele, Lindsey; commending.
 Patron: Dunnavant
 Presented and laid on Clerk’s Desk 38
 Engrossed and agreed to by Senate. 52

S.R. 528. Turpin, Ralph Essex, Jr.; recording sorrow upon death.
 Patron: Deeds
 Presented and laid on Clerk’s Desk 46
 Engrossed and agreed to by Senate. 71

S.R. 529. Rexrode, Jerry Austin; recording sorrow upon death.
 Patrons: Deeds, et al.
 Presented and laid on Clerk’s Desk 46
 Engrossed and agreed to by Senate. 71

S.R. 530. Nowlin, Percy Conway, III; recording sorrow upon death.
 Patrons: Deeds, et al.
 Presented and laid on Clerk’s Desk 46
 Engrossed and agreed to by Senate. 71

S.R. 531. Anderson, Robert Joseph; recording sorrow upon death.	
Patron: Deeds	
Presented and laid on Clerk's Desk	46
Engrossed and agreed to by Senate.	71
S.R. 532. Hager, John Henry; recording sorrow upon death.	
Patrons: Norment, et al.	
Presented and laid on Clerk's Desk	67
Passed by for day	75, 81
Engrossed and agreed to by Senate.	96
S.R. 533. Leider, Anna; commending.	
Patrons: Ebbin, et al.	
Presented and laid on Clerk's Desk	73
Engrossed and agreed to by Senate.	81
S.R. 534. Glenn, Gerald O.; recording sorrow upon death.	
Patrons: Morrissey, et al.	
Presented and laid on Clerk's Desk	78
Engrossed and agreed to by Senate.	96
S.R. 535. Foust, Howard H., Jr.; recording sorrow upon death.	
Patron: Lucas	
Presented and laid on Clerk's Desk	88
Engrossed and agreed to by Senate.	104
S.R. 536. Hite, Leonard Jackson; recording sorrow upon death.	
Patron: Lucas	
Presented and laid on Clerk's Desk	88
Engrossed and agreed to by Senate.	104
S.R. 537. Paul, Bonnie Lineweaver; recording sorrow upon death.	
Patron: Obenshain	
Presented and laid on Clerk's Desk	88
Engrossed and agreed to by Senate.	105
S.R. 538. Johnson, Geraldine Bailey Williams; commemorating her 100th birthday.	
Patron: Morrissey	
Presented and laid on Clerk's Desk	88
Engrossed and agreed to by Senate.	105
S.R. 539. Edwards, Bruce Winston; recording sorrow upon death.	
Patrons: DeSteph, et al.	
Presented and laid on Clerk's Desk	88
S.R. 540. Brickley, Lori Lee; recording sorrow upon death.	
Patrons: McPike, et al.	
Presented and laid on Clerk's Desk	99
Passed by for day	113
Engrossed and agreed to by Senate.	119
S.R. 541. Strike Fighter Squadron 213; commending.	
Patron: Kiggans	
Presented and laid on Clerk's Desk	99
Engrossed and agreed to by Senate.	113
S.R. 542. Vindman, Alexander Semyon; commending.	
Patrons: McPike, et al.	
Presented and laid on Clerk's Desk	99
Passed by for day	114, 119, 125
Reading of substitute waived	138
Substitute by Senator McPike agreed to	138
Engrossed and agreed to by Senate.	138

S.R. 543. King, Jacqueline Kidd; recording sorrow upon death.
 Patrons: Suetterlein, et al.
 Presented and laid on Clerk’s Desk 110
 Engrossed and agreed to by Senate. 119

S.R. 544. Wescott, Jeff Matthew, Jr.; recording sorrow upon death.
 Patron: McClellan
 Presented and laid on Clerk’s Desk 116
 Engrossed and agreed to by Senate. 137

S.R. 545. Rigney, Richard; recording sorrow upon death.
 Patrons: DeSteph, et al.
 Presented and laid on Clerk’s Desk 123
 Passed by for day 137
 Engrossed and agreed to by Senate. 363

S.R. 546. Alexander, Joseph; recording sorrow upon death.
 Patrons: Ebbin, et al.
 Presented and laid on Clerk’s Desk 123
 Passed by for day 137
 Engrossed and agreed to by Senate. 363

S.R. 547. Beekman, Kevin; recording sorrow upon death.
 Patrons: Ebbin, et al.
 Presented and laid on Clerk’s Desk 124
 Engrossed and agreed to by Senate. 137

S.R. 548. Jones, Elaine R.; commemorating 50th anniversary of her historic graduation from
 University of Virginia School of Law.
 Patrons: McClellan, et al.
 Presented and laid on Clerk’s Desk 124
 Passed by for day 138
 Engrossed and agreed to by Senate. 364

S.R. 549. Smuggler’s Point fishing vessel; commending the captain and crew.
 Patrons: Stuart, et al.
 Presented and laid on Clerk’s Desk 124
 Engrossed and agreed to by Senate. 138

S.R. 550. Lewis, Annie Eliza; commemorating her 100th birthday.
 Patrons: McClellan, et al.
 Presented and laid on Clerk’s Desk 124
 Engrossed and agreed to by Senate. 138

S.R. 551. Hill, Oliver White, Jr.; recording sorrow upon death.
 Patrons: McClellan, et al.
 Presented and laid on Clerk’s Desk 124
 Passed by for day 137
 Engrossed and agreed to by Senate. 363

S.R. 552. Senate of Virginia; establishes a provision to recess during 2020 Special Session I of
 the General Assembly.
 Patron: Locke
 Presented, ordered printed, and referred to Committee on Rules 128
 Motion to suspend the Rules, discharge the committee, waive the first reading, and take up for
 immediate consideration withdrawn. 139

S.R. 553. Moore, Douglas Dee; recording sorrow upon death.
 Patron: Suetterlein
 Presented and laid on Clerk’s Desk 128
 Engrossed and agreed to by Senate. 363

S.R. 554. Tucker, Albert Sidney Johnston, III; recording sorrow upon death.	
Patron: Suetterlein	
Presented and laid on Clerk's Desk	128
Engrossed and agreed to by Senate.	363
S.R. 555. Spigle, Nancy Lewey; recording sorrow upon death.	
Patrons: Suetterlein, et al.	
Presented and laid on Clerk's Desk	128
Passed by for day	363
Engrossed and agreed to by Senate.	382
S.R. 556. Peake, Walter H., III; recording sorrow upon death.	
Patrons: Suetterlein, et al.	
Presented and laid on Clerk's Desk	128
Engrossed and agreed to by Senate.	363
S.R. 557. Wingate, Cody Lee; recording sorrow upon death.	
Patron: Pillion	
Presented and laid on Clerk's Desk	128
Engrossed and agreed to by Senate.	363
S.R. 558. Hilton Elementary School; commending.	
Patron: Pillion	
Presented and laid on Clerk's Desk	144
Passed by for day	382
Engrossed and agreed to by Senate.	390
S.R. 559. Huff, Delby; commemorating his 100th birthday.	
Patron: Morrissey	
Presented and laid on Clerk's Desk	144
Passed by for day	382
Engrossed and agreed to by Senate.	390
S.R. 560. Woods, Charles C.; recording sorrow upon death.	
Patron: Pillion	
Presented and laid on Clerk's Desk	144
Passed by for day	382
Engrossed and agreed to by Senate.	390
S.R. 561. Hairfield, Myri Lewis; recording sorrow upon death.	
Patrons: Norment, et al.	
Presented and laid on Clerk's Desk	388
Engrossed and agreed to by Senate.	617
S.R. 562. Garber, John Manley; recording sorrow upon death.	
Patrons: McPike, et al.	
Presented and laid on Clerk's Desk	388
Engrossed and agreed to by Senate.	617
S.R. 563. Mapes, Christina; commending.	
Patron: Kiggans	
Presented and referred to Committee on Rules	388
S.R. 564. Saxe, Janine M.; commending.	
Patrons: Surovell, et al.	
Presented and referred to Committee on Rules	388
S.R. 565. Hornsby, Lois Saunier; recording sorrow upon death.	
Patrons: Norment, et al.	
Presented and laid on Clerk's Desk	388
Engrossed and agreed to by Senate.	617

S.R. 566. Conover, John; recording sorrow upon death.
 Patron: Deeds
 Presented and laid on Clerk’s Desk 411
 Engrossed and agreed to by Senate. 755

S.R. 567. Shami, Saba Labib; recording sorrow upon death.
 Patrons: Ebbin, et al.
 Presented and laid on Clerk’s Desk 412
 Engrossed and agreed to by Senate. 755

H.B. 5005. Budget bill; appropriated funds for the 2020-2022 biennium. Amending Chapter 1289, 2020 Acts.
 Patron: Torian
 Passed House 143
 Constitutional reading dispensed, referred to Committee on Finance and Appropriations 144
 Reported with Senate amendments as substituted for House amendments 388
 Read second time 397
 Motion to dispense with constitutional reading rejected 397-98
 Read third time 412
 Reading of amendments waived 601
 Committee amendments agreed to 601
 Passed Senate 601-02
 Statements on vote 602
 Senate amendments rejected by House 605
 Senate insisted on amendments and requested committee of conference 608
 House acceded to request 610
 Conferees appointed 610
 Conference report adopted by Senate 753
 Statements on vote 753-54
 Conference report adopted by House 757
 Signed by President 759
 House concurred in Governor’s recommendation Nos. 1, 3, 5, and 7-10 and passed by for day
 Nos. 2, 4, and 6 767
 Senate concurred in Governor’s recommendation Nos. 1, 9, and 10 784
 Senate rejected Governor’s recommendation No. 3 784
 Senate concurred in Governor’s recommendation No. 5 784
 Reconsideration of Governor’s recommendation No. 3 784-85
 Senate rejected Governor’s recommendation No. 3 785
 Senate rejected Governor’s recommendation No. 7 785
 Tie vote, Chair votes Yea 786
 Senate concurred in Governor’s recommendation No. 8 786
 Signed by President as reenrolled. 796
 Approved by Governor-Chapter 56 (effective 11/18/20)

H.B. 5013. Civil action for deprivation of rights; duties and liabilities of certain employers in employing or contracting for the services of law-enforcement officers. Adding §§ 8.01-42.6 and 8.01-42.7.
 Patrons: Bourne, et al.
 Passed House 86
 Constitutional reading dispensed, referred to Committee on the Judiciary 87

H.B. 5028. Workers’ compensation; establishes a presumption that COVID-19 causing the death or disability of firefighters, emergency medical services personnel, school board employees, etc., is an occupational disease. Amending § 65.2-402.1.
 Patrons: Jones, et al.
 Passed House 85

H.B. 5028 (continued)
 Constitutional reading dispensed, referred to Committee on Commerce and Labor 87
 Rereferred to Committee on Finance and Appropriations 116

H.B. 5029. Law-enforcement officer; conduct during arrest or detention, failure to intervene in an unlawful use of excessive force, penalties. Adding §§ 19.2-83.3, 19.2-83.4, and 19.2-83.5.
 Patrons: McQuinn, et al.
 Passed House 85
 Constitutional reading dispensed, referred to Committee on the Judiciary 87
 Reported with substitute 120
 Rereferred to Committee on Finance and Appropriations 121
 Reported 125
 Constitutional reading dispensed, passed by for day 136
 Passed by temporarily 147
 Passed by for day 357
 Read third time 372
 Reading of substitute waived 372
 Committee substitute rejected 372
 Reading of substitute waived 373
 Substitute by Senator Locke agreed to 373
 Engrossed 373
 Passed Senate 373
 Reconsideration of vote on passage 373
 Passed Senate 373
 Senate substitute agreed to by House 411
 Signed by President 623
 Approved by Governor-Chapter 25 (effective 3/1/21)

H.B. 5030. Monuments and memorials for war veterans; changes authority of localities, repeals an existing enactment clause that excludes a monument or memorial located on property of a public institution of higher education within the City of Lexington. Amending § 15.2-1812; repealing third enactment of Chapters 1100 and 1101, 2020 Acts. Patrons: McQuinn, et al.
 Passed House 86
 Constitutional reading dispensed, referred to Committee on Local Government 87

H.B. 5041. Nursing homes, certified nursing facilities, and hospice facilities; during a public health emergency related to the COVID-19 virus, facilities to establish a protocol to allow in-person visitation and virtual visitation, notice to family on facility website, written or electronic communication. Amending §§ 32.1-127 and 32.1-162.5.
 Patrons: Head, et al.
 Passed House 65
 Motion to dispense with constitutional reading rejected 65-66
 Reconsideration of motion to dispense with constitutional reading 66
 Motion to dispense with constitutional reading rejected 66
 Clerk read title first time 66
 Referred to Committee on Education and Health 66
 Reported with amendments 121
 Constitutional reading dispensed, passed by for day 124
 Read third time 128
 Reading of amendments waived 129
 Committee amendments agreed to 129
 Engrossed 129
 Passed Senate 130
 Reconsideration of vote on Senate passage 131

H.B. 5041 (continued)

Passed Senate 131-32
 Statement on vote 132
 Senate amendments agreed to by House 386
 Signed by President 406
 Approved by Governor-Chapter 10 (effective 10/21/20)

H.B. 5043. Mental health crises; Department of Criminal Justice Services to advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement agencies cooperation, with development and implementation of the mental health awareness response and community understanding services (Marcus) alert system, definitions, protocol and training for law-enforcement participation in Marcus alert system, response to mental health crises, comprehensive crisis system, report. Amending § 9.1-102; adding §§ 9.1-193 and 37.2-311.1.

Patrons: Bourne, et al.
 Passed House 109
 Constitutional reading dispensed, referred to Committee on the Judiciary 109
 Reported with substitute 120
 Rereferred to Committee on Finance and Appropriations 121
 Reported 125
 Constitutional reading dispensed, passed by for day 136
 Passed by temporarily 147
 Read third time 357
 Reading of substitute waived 357
 Committee substitute agreed to 357
 Engrossed 357
 Passed Senate 357
 Statement on vote 357
 Senate substitute rejected by House 385
 Senate insisted on substitute and requested committee of conference 390-91
 House acceded to request 402
 Conferees appointed 403
 Passed by temporarily 412
 Motion to agree to conference committee report; substitute motion to pass by for day rejected . . 603
 Motion to pass by temporarily; substitute motion to reconsider vote to pass by for day
 rejected 603
 Ruling of Chair 604
 Reconsideration of vote to pass by for day 604
 Passed by for day 604
 Conference report adopted by House 622
 Conference report adopted by Senate 754
 Signed by President 759
 Approved by Governor-Chapter 41 (effective 3/1/21)

H.B. 5045. Person in custody of a law-enforcement officer; inmate, parolee, probationer, juvenile detainee, or pretrial defendant or posttrial offender; carnal knowledge of a person detained or arrested, adds private, local, or state law-enforcement agency to list, penalty. Amending § 18.2-64.2.

Patrons: Delaney, et al.
 Passed House 85
 Constitutional reading dispensed, referred to Committee on the Judiciary 87
 Reported with substitute 120
 Rereferred to Committee on Finance and Appropriations 121
 Reported 125
 Constitutional reading dispensed, passed by for day 136

H.B. 5045 (continued)

Read third time 144
 Reading of substitute waived 145
 Committee substitute agreed to 145
 Engrossed 145
 Passed Senate 145
 Reconsideration of vote on passage 355
 Passed by for day 355
 Passed Senate 371
 Senate substitute agreed to by House 411
 Signed by President 623
 Approved by Governor–Chapter 26 (effective 3/1/21)

H.B. 5046. Telemedicine services; Board of Medical Assistance Services to amend state plan for medical assistance services to provide for payment of assistance for medically necessary health care services provided through telemedicine services, regardless of originating site, definition, etc. Amending §§ 32.1-325, 38.2-3418.16, and 38.2-4319.

Patrons: Adams, D.M., et al.
 Passed House 65
 Motion to dispense with constitutional reading rejected 65-66
 Reconsideration of motion to dispense with constitutional reading 66
 Motion to dispense with constitutional reading rejected 66
 Clerk read title first time 66
 Referred to Committee on Education and Health 66
 Reported with amendments 121
 Constitutional reading dispensed, passed by for day 124
 Read third time 128
 Reading of amendments waived 129
 Committee amendments agreed to 129
 Engrossed 129
 Passed Senate 130
 Reconsideration of vote on Senate passage 131
 Passed Senate 131-32
 Statement on vote 132
 Senate amendments agreed to by House 386
 Signed by President 406
 House concurred in Governor’s recommendation 786
 Senate concurred in Governor’s recommendation 788
 Signed by President as reenrolled 796
 Enacted, Chapter 44 (effective 11/9/20)

H.B. 5047. Virginia Post-Disaster Anti-Price Gouging Act; prohibits any manufacturer or distributor from selling necessary goods or services at an unconscionable price during a declared state of emergency, exception. Amending §§ 59.1-526 and 59.1-527.

Patrons: Murphy, et al.
 Passed House 78
 Constitutional reading dispensed, referred to Committee on Commerce and Labor 78
 Reported with amendment 116
 Constitutional reading dispensed, passed by for day 124, 125
 Read third time 132
 Reading of amendment waived 132
 Committee amendment agreed to 132
 Passed by for day 132
 Passed by temporarily 147
 Engrossed 356

H.B. 5047 (continued)
 Passed Senate 356
 Statement on vote 356
 Senate amendment agreed to by House 386
 Signed by President 407
 Approved by Governor-Chapter 16 (effective 3/1/21)

H.B. 5048. Outbreaks of communicable disease of public health threat; posting of information about cases, “reporting entity.” Adding § 32.1-37.01.
 Patrons: Sickles, et al.
 Passed House 65
 Motion to dispense with constitutional reading rejected 65-66
 Reconsideration of motion to dispense with constitutional reading 66
 Motion to dispense with constitutional reading rejected 66
 Clerk read title first time 66
 Referred to Committee on Education and Health 66
 Reported with amendment 122
 Constitutional reading dispensed, passed by for day 124
 Read third time 128
 Reading of amendment waived 130
 Committee amendment agreed to 130
 Engrossed 130
 Passed Senate 130
 Reconsideration of vote on Senate passage 131
 Passed Senate 131-32
 Statement on vote 132
 Senate amendment agreed to by House 386
 Signed by President 407
 Approved by Governor-Chapter 12 (effective 10/21/20)

H.B. 5049. Law-enforcement agencies; acquisition and use of military property, Department of Criminal Justice Services to establish training standards, etc., and update policies for law-enforcement personnel in handling and use of tear gas or other gases and kinetic impact munitions, etc., establish and administer a waiver process for agencies to use certain military property, etc., prohibited practices for law-enforcement officers during an arrest or detention, penalties. Amending §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3; adding §§ 2.2-5515, 15.2-1721.1, 19.2-83.3, 19.2-83.4, and 19.2-83.5.
 Patrons: Helmer, et al.
 Passed House 109
 Constitutional reading dispensed, referred to Committee on the Judiciary 109
 Reported with substitute 120
 Rereferred to Committee on Finance and Appropriations 121
 Reported 125
 Constitutional reading dispensed, passed by for day 136
 Passed by temporarily 147
 Passed by for day 357
 Read third time 373
 Reading of substitute waived 374
 Committee substitute rejected 374
 Reading of substitute waived 374
 Passed by temporarily 374
 Substitute by Senator Locke withdrawn 377
 Committee substitute reconsidered 378
 Committee substitute agreed to 378
 Engrossed 378

H.B. 5049 (continued)
 Passed Senate 378
 Senate substitute rejected by House 399
 Senate insisted on substitute and requested committee of conference 399
 House acceded to request 406
 Conferees appointed 406
 Passed by temporarily 412, 605
 Conference report adopted by Senate 618
 Conference report adopted by House 622
 Signed by President 758
 House rejected Governor’s recommendation 787
 Approved by Governor–Chapter 55 (effective 3/1/21)

H.B. 5050. Emergency Services and Disaster Law; powers and duties of Governor, purchase of personal protective equipment (PPE) during a disaster caused by a communicable disease of public health threat, clarification of definition of “PPE,” awarding contracts, purchasing PPE for private, nongovernmental entities. Amending §§ 2.2-4343 and 44-146.17.
 Patrons: Helmer, et al.
 Passed House 85
 Constitutional reading dispensed, referred to Committee on General Laws and Technology 87
 Reported with substitute 121
 Rereferred to Committee on Finance and Appropriations 121
 Reported 125
 Constitutional reading dispensed, passed by for day 136
 Read third time 144
 Reading of substitute waived 147
 Committee substitute agreed to 147
 Engrossed 147
 Passed Senate 147
 Senate substitute rejected by House 386
 Senate insisted on substitute and requested committee of conference 391
 House acceded to request 402
 Conferees appointed 403
 Passed by temporarily 412
 Conference report adopted by Senate 605
 Conference report adopted by House 622
 Signed by President 758
 Approved by Governor–Chapter 38 (effective 3/1/21)

H.B. 5051. Law-enforcement officers and jail officers, certified; sheriff, chief of police, or agency administrator shall notify the Criminal Justice Services Board in writing within 48 hours if any officer is terminated or resigns for engaging in serious misconduct, etc., report. Amending §§ 9.1-102 and 15.2-1707.
 Patrons: Simon, et al.
 Passed House 85
 Constitutional reading dispensed, referred to Committee on the Judiciary 87
 Reported with substitute 120
 Rereferred to Committee on Finance and Appropriations 121
 Reported 125
 Constitutional reading dispensed, passed by for day 136
 Passed by temporarily 147
 Passed by for day 357
 Read third time 374
 Reading of substitute waived 374

H.B. 5051 (continued)
 Committee substitute agreed to. 374
 Engrossed 374
 Passed Senate 374-75
 Senate substitute agreed to by House 411
 Signed by President 623
 Approved by Governor-Chapter 27 (effective 3/1/21)

H.B. 5052. Juneteenth; recognizing June 19th of each year as a legal holiday in the Commonwealth commemorating the announcement of the abolition of slavery in Texas.
 Amending § 2.2-3300.
 Patrons: Bagby, et al.
 Passed House 65
 Motion to dispense with constitutional reading rejected 65-66
 Reconsideration of motion to dispense with constitutional reading 66
 Motion to dispense with constitutional reading rejected 66
 Clerk read title first time 66
 Referred to Committee on General Laws and Technology 66
 Reported 121
 Constitutional reading dispensed, passed by for day 124, 125
 Read third time 128
 Passed Senate 130
 Reconsideration of vote on Senate passage 131
 Passed Senate 131-32
 Statement on vote 132
 Signed by President 382
 Approved by Governor-Chapter 4 (effective 3/1/21)

H.B. 5055. Law-enforcement civilian oversight bodies; governing body of a locality may establish, oversight body shall reflect demographic diversity of locality, duties of oversight body, etc., effective date. Amending §§ 9.1-507 and 15.2-1507; adding § 9.1-601.
 Patrons: Herring, et al.
 Passed House 78
 Constitutional reading dispensed, referred to Committee on the Judiciary 78
 Reported with substitute 120
 Referred to Committee on Finance and Appropriations 121
 Reported 126
 Constitutional reading dispensed, passed by for day 136
 Passed by temporarily 147
 Read third time 357
 Reading of substitute waived 358
 Committee substitute agreed to. 358
 Engrossed 358
 Passed Senate 358
 Statement on vote 358
 Senate substitute rejected by House 386
 Senate insisted on substitute and requested committee of conference 391
 House acceded to request 402
 Conferees appointed 403
 Passed by temporarily 412
 Conference report adopted by Senate 606
 Conference report adopted by House 623
 Signed by President 758
 Approved by Governor-Chapter 29 (effective 7/1/21)

H.B. 5058. Marijuana and certain traffic offenses; no law-enforcement officer may lawfully stop, search, or seize any person, place, etc., solely on basis of odor of marijuana, issuance of citations, etc. Amending §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300.
Patrons: Hope, et al.

Passed House 85
 Constitutional reading dispensed, referred to Committee on the Judiciary 87
 Reported with substitute 120
 Rereferred to Committee on Finance and Appropriations 121
 Reported 126
 Constitutional reading dispensed, passed by for day 136, 137
 Passed by temporarily 147
 Read third time 358
 Reading of substitute waived 358
 Committee substitute agreed to 358
 Engrossed 358
 Passed Senate 358-59
 Statement on vote 359
 Senate substitute agreed to by House 387
 Signed by President 407
 House concurred in Governor’s recommendation 786
 Senate concurred in Governor’s recommendation Nos. 1 and 2 789
 Senate concurred in Governor’s recommendation No. 3 789
 Signed by President as reenrolled 796
 Enacted, Chapter 45 (effective 3/1/21)

H.B. 5059. Hospices, certain, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability, COVID-19. Adding § 8.01-225.03.
Patrons: Willett, et al.

Passed House 85
 Constitutional reading dispensed, referred to Committee on the Judiciary 87
 Reported 120
 Constitutional reading dispensed, passed by for day 124, 125
 Read third time 128
 Passed Senate 130
 Reconsideration of vote on Senate passage 131
 Passed Senate 131-32
 Statement on vote 132
 Signed by President 382
 Approved by Governor-Chapter 6 (effective 10/13/20)

H.B. 5062. Court authority in criminal cases; prosecutorial discretion to dispose of a criminal case, deferred disposition. Amending §§ 16.1-69.48:1, 17.1-275.1, 17.1-275.2, 17.1-275.7, 19.2-265.6, 19.2-303.4, 19.2-335, and 19.2-336; adding § 19.2-298.02.
Patrons: Mullin, et al.

Passed House 85
 Constitutional reading dispensed, referred to Committee on the Judiciary 87
 Reported with substitute 120
 Rereferred to Committee on Finance and Appropriations 121
 Reported with substitute 126
 Constitutional reading dispensed, passed by for day 136, 137
 Passed by temporarily 147

H.B. 5062 (continued)
 Read third time 359
 Reading of substitute waived 359
 Committee substitute rejected. 359
 Reading of substitute waived 359
 Committee substitute rejected. 359
 Reading of substitute waived 360
 Substitute by Senator Surovell agreed to 360
 Engrossed 360
 Passed Senate 360
 Senate substitute agreed to by House 387
 Signed by President 407
 Approved by Governor-Chapter 21 (effective 3/1/21)

H.B. 5064. Virginia Residential Landlord and Tenant Act; landlord remedies, noncompliance with rental agreement, payment plan, sunset provision. Amending § 55.1-1245.
 Patrons: Price, et al.
 Passed House 65
 Motion to dispense with constitutional reading rejected 65-66
 Reconsideration of motion to dispense with constitutional reading 66
 Motion to dispense with constitutional reading rejected 66
 Clerk read title first time 66
 Referred to Committee on General Laws and Technology 66
 Reported with substitute 121
 Constitutional reading dispensed, passed by for day 124, 125
 Read third time 132
 Reading of substitute waived 132
 Committee substitute agreed to. 132
 Engrossed 132
 Passed Senate 132-33
 Statement on vote 133
 Reconsideration of vote on Senate passage 133
 Passed by for day 133
 Passed by temporarily. 147
 Passed Senate 356
 Statement on vote 357
 Senate substitute rejected by House 386
 Senate insisted on substitute and requested committee of conference 391-92
 House acceded to request 402
 Conferees appointed 403
 Passed by temporarily. 412
 Conference report adopted by Senate 607
 Conference report adopted by House 623
 Signed by President 758
 House concurred in Governor’s recommendation 786
 Senate concurred in Governor’s recommendation Nos. 1 and 2 790
 Senate concurred in Governor’s recommendation Nos. 3 and 4 791
 Signed by President as reenrolled. 796
 Enacted, Chapter 46 (effective 11/9/20)

H.B. 5068. Emergency relief payments; automatic exemption from creditor process, definition, financial institutions receiving such payments directly from federal government, etc. Amending § 8.01-512.4; adding § 34-28.3.
 Patrons: Ayala, et al.

Passed House	85
Constitutional reading dispensed, referred to Committee on the Judiciary	87
Reported with substitute	120
Rereferred to Committee on Finance and Appropriations	121
Reported	126
Constitutional reading dispensed, passed by for day	136, 137
Passed by temporarily	147
Read third time	360
Reading of substitute waived	360
Committee substitute rejected	360
Reading of substitute waived	360
Substitute by Senator Petersen agreed to	360
Engrossed	360
Passed Senate	360-61
Senate substitute rejected by House	386
Senate insisted on substitute and requested committee of conference	392
House acceded to request	402
Conferees appointed	403
Passed by temporarily	412
Conference report adopted by Senate	609
Conference report adopted by House	623
Signed by President	758
Approved by Governor-Chapter 39 (effective 10/28/20)	

H.B. 5069. Law-enforcement officers; definition, prohibition on the use of neck restraints, exception, penalties. Adding §§ 19.2-83.3, 19.2-83.4, and 19.2-83.5.
 Patrons: Carroll Foy, et al.

Passed House	85
Constitutional reading dispensed, referred to Committee on the Judiciary	87
Reported with substitute	120
Rereferred to Committee on Finance and Appropriations	121
Reported	126
Constitutional reading dispensed, passed by for day	136, 137
Passed by temporarily	147
Passed by for day	361
Read third time	375
Reading of substitute waived	375
Committee substitute agreed to	375
Engrossed	375
Passed Senate	375
Reconsideration of vote on passage	380
Passed Senate	380
Reconsideration of vote on passage agreed to by unanimous consent	380
Passed Senate	380-81
Senate substitute agreed to by House	411
Signed by President	624
Approved by Governor-Chapter 35 (effective 3/1/21)	

H.B. 5072. Law-enforcement misconduct; Attorney General authorized to file civil suit or inquire into or seek to conciliate any unlawful pattern and practice against the Commonwealth, etc., conciliation agreements with localities. Amending § 2.2-520; adding § 2.2-511.1.
 Patrons: Lopez, et al.
 Passed House 86
 Constitutional reading dispensed, referred to Committee on the Judiciary 87
 Reported with amendment 120
 Rereferred to Committee on Finance and Appropriations 121
 Reported 126
 Constitutional reading dispensed, passed by for day 136, 137
 Passed by temporarily 147
 Read third time 361
 Reading of amendment waived. 361
 Committee amendment agreed to 361
 Engrossed 361
 Passed Senate 361
 Senate amendment agreed to by House 386
 Signed by President 407
 Approved by Governor-Chapter 18 (effective 3/1/21)

H.B. 5087. Unemployment compensation; extends the date by which the Virginia Employment Commission is required to establish and implement a short-time compensation program by January 1, 2022, repeals provisions that established a program that provides employers with option of reducing hours worked by employees, etc. Amending § 60.2-712; repealing third and fourth enactments of Chapter 1261, 2020 Acts.
 Patrons: Tran, et al.
 Passed House 86
 Constitutional reading dispensed, referred to Committee on Commerce and Labor 87
 Reported with amendment 116
 Constitutional reading dispensed, passed by for day 124, 125
 Read third time 128
 Reading of amendment waived. 131
 Committee amendment agreed to 131
 Passed by temporarily 131
 Engrossed 138
 Defeated by Senate 138
 Reconsideration of vote by which bill was defeated 139
 Passed by for day 139
 Committee amendment and engrossment reconsidered 146
 Committee amendment rejected 146
 Passed Senate 146
 Signed by President 407
 Approved by Governor-Chapter 8 (effective 10/21/20)

H.B. 5090. Virginia Freedom of Information Act; law-enforcement criminal incident information, definitions, criminal investigative files. Amending § 2.2-3706.
 Patrons: Hurst, et al.
 Passed House 109
 Constitutional reading dispensed, referred to Committee on General Laws and Technology 109

H.B. 5093. Emergency Services and Disaster Law; powers and duties of the Governor, executive orders, penalty, sunset provision. Amending § 44-146.17.
 Patrons: Watts, et al.
 Passed House 78

H.B. 5093 (continued)

Constitutional reading dispensed, referred to Committee on General Laws and Technology 78
 Reported with amendment 121
 Constitutional reading dispensed, passed by for day 124, 125
 Read third time 133
 Reading of amendment waived. 133
 Committee amendment agreed to 133
 Engrossed 133
 Passed Senate 133-34
 Statement on vote 134
 Senate amendment agreed to by House 387
 Signed by President 407
 Approved by Governor-Chapter 14 (effective 3/1/21)

H.B. 5098. Hate crimes; falsely summoning or giving false reports to law-enforcement officials, increases penalty. Amending § 18.2-461.

Patrons: Askew, et al.
 Passed House 85
 Constitutional reading dispensed, referred to Committee on the Judiciary 87
 Reported 121
 Rereferred to Committee on Finance and Appropriations 121
 Reported 126
 Constitutional reading dispensed, passed by for day 136, 137
 Passed by temporarily. 147
 Read third time and passed 361-62
 Signed by President 407
 Approved by Governor-Chapter 22 (effective 3/1/21)

H.B. 5099. Search warrants; law-enforcement officer shall be recognizable and identifiable as a uniformed officer and provide audible notice of his authority, etc. Amending § 19.2-56.

Patrons: Aird, et al.
 Passed House 85
 Constitutional reading dispensed, referred to Committee on the Judiciary 87
 Reported with substitute 121
 Rereferred to Committee on Finance and Appropriations 121
 Reported 126
 Constitutional reading dispensed, passed by for day 136, 137
 Passed by temporarily. 147
 Passed by for day 362
 Read third time 375
 Reading of substitute waived 375
 Committee substitute rejected. 375
 Reading of substitute waived 376
 Passed by temporarily. 376
 Substitute by Senator Locke withdrawn 378
 Committee substitute reconsidered. 378
 Committee substitute agreed to. 379
 Engrossed 379
 Motion to pass 379
 Parliamentary inquiries. 379
 Pending question ordered, tie vote, Chair votes Yea 379
 Passed Senate 379
 Senate substitute rejected by House 399
 Senate insisted on substitute and requested committee of conference 400
 House acceded to request 406

H.B. 5099 (continued)
 Conferees appointed 406
 Passed by temporarily 412, 609
 Conference report adopted by Senate 619
 Conference report adopted by House 623
 Signed by President 758
 Approved by Governor-Chapter 31 (effective 3/1/21)

H.B. 5103. Elections, Department of; appropriations to be used to provide prepaid postage for return of absentee ballots for November 3, 2020, election, mailed absentee ballots shall be returned by mail to general registrar’s office, in person to general registrar, to a drop-off location, etc. Amending Chapter 1289, 2020 Acts.
 Patrons: Sickles, et al.
 Passed House 65
 Motion to dispense with constitutional reading rejected 65-66
 Reconsideration of motion to dispense with constitutional reading 66
 Motion to dispense with constitutional reading rejected 66
 Clerk read title first time 66
 Referred to Committee on Finance and Appropriations 67
 Reported 71
 Read second time 74
 Passed by for day 79, 88
 Recommitted to Committee on Finance and Appropriations 100

H.B. 5104. Law-enforcement officers, deputy sheriff, jail officer, etc.; minimum qualifications, disclosure of information to a prospective hiring agency or jail, psychological examination. Amending §§ 9.1-102, 15.2-1705, and 15.2-1709.
 Patrons: Price, et al.
 Passed House 85
 Constitutional reading dispensed, referred to Committee on the Judiciary 87
 Reported with substitute 121
 Rereferred to Committee on Finance and Appropriations 121
 Reported 126
 Constitutional reading dispensed, passed by for day 136, 137
 Passed by temporarily 147
 Passed by for day 362
 Read third time 376
 Reading of substitute waived 376
 Committee substitute agreed to 376
 Engrossed 376
 Substitute by Senator Locke withdrawn 376
 Passed Senate 376-77
 Senate substitute rejected by House 399
 Senate insisted on substitute and requested committee of conference 400
 House acceded to request 406
 Conferees appointed 406
 Passed by temporarily 412, 609, 619
 Conference report adopted by Senate 620
 Reconsideration of vote on conference committee report 621
 Conference report adopted by Senate 621
 Conference report adopted by House 623
 Signed by President 758
 Approved by Governor-Chapter 32 (effective 3/1/21)

H.B. 5106. Landlord and tenant; noncompliance with rental agreement, prohibition on reporting negative credit information arising from COVID-19 pandemic against tenants or applicants for tenancy, expiration of certain provisions, penalty. Amending § 55.1-1245.
Patrons: Cole, J.G., et al.

Passed House 78
 Constitutional reading dispensed, referred to Committee on General Laws and Technology 78
 Reported with amendments 121
 Constitutional reading dispensed, passed by for day 124, 125
 Read third time 134
 Reading of amendments waived 134
 Committee amendments Nos. 1, 2, 4, and 5 agreed to 135
 Committee amendment No. 3 rejected 135
 Reading of amendment waived 135
 Amendment by Senator Barker agreed to 135
 Engrossed 135
 Passed Senate 135
 Statement on vote 136
 Senate amendments rejected by House 385
 Senate insisted on amendments and requested committee of conference 392
 House acceded to request 402
 Conferees appointed 403
 Passed by temporarily 412, 610
 Conference report rejected by Senate 619
 Senate requested second committee of conference 619-20
 House acceded to request for second committee of conference 621
 Second conferees appointed 627
 Second conference report adopted by Senate 756-57
 Second conference report adopted by House 757
 Signed by President 759
 House concurred in Governor’s recommendation 786
 Senate concurred in Governor’s recommendation 791
 Signed by President as reenrolled 796
 Enacted, Chapter 47 (effective 3/1/21)

H.B. 5108. Criminal Justice Services Board and Committee on Training; increases number of members and responsibilities. Amending §§ 9.1-108 and 9.1-112.
Patrons: Guzman, et al.

Passed House 78
 Constitutional reading dispensed, referred to Committee on the Judiciary 78
 Reported with substitute 121
 Rereferred to Committee on Finance and Appropriations 121
 Reported 126
 Constitutional reading dispensed, passed by for day 136, 137
 Passed by temporarily 147
 Passed by for day 362
 Read third time 377
 Reading of substitute waived 377
 Committee substitute rejected 377
 Reading of substitute waived 377
 Substitute by Senator Locke agreed to 377
 Engrossed 377
 Passed Senate 377
 Senate substitute agreed to by House 411

H.B. 5108 (continued)
 Signed by President 624
 Approved by Governor-Chapter 28 (effective 3/1/21)

H.B. 5109. Law-enforcement officer training and qualifications; Department of Criminal Justice Services required to develop a uniform curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards, etc., criminal justice training academies, hiring agency or jail may require a candidate for employment to undergo a psychological examination. Amending §§ 9.1-102 and 15.2-1705; adding § 9.1-112.1.
 Patrons: Hope, et al.
 Passed House 86
 Constitutional reading dispensed, referred to Committee on the Judiciary 87
 Reported with substitute 121
 Rereferred to Committee on Finance and Appropriations 121
 Reported 126
 Constitutional reading dispensed, passed by for day 136
 Read third time 144
 Reading of substitute waived 145
 Committee substitute agreed to 145
 Engrossed 145
 Passed Senate 145
 Reconsideration of vote on passage 355
 Passed by for day 355
 Committee substitute and engrossment reconsidered 371
 Committee substitute rejected 372
 Reading of substitute waived 372
 Substitute by Senator Locke agreed to 372
 Engrossed 372
 Passed Senate 372
 Senate substitute agreed to by House 411
 Signed by President 624
 House concurred in Governor’s recommendation 787
 Senate concurred in Governor’s recommendation 793
 Signed by President as reenrolled 796
 Enacted, Chapter 48 (effective 3/1/21)

H.B. 5112. Law-enforcement officer; duty to render aid, duty to report wrongdoing by another law-enforcement officer, penalty. Amending § 52-30.1; adding §§ 15.2-1704.1 and 15.2-1704.2.
 Patrons: Levine, et al.
 Passed House 86
 Constitutional reading dispensed, referred to Committee on the Judiciary 87

H.B. 5113. School boards, certain; student meals, participation in the Community Eligibility Provision, waivers issued by the Superintendent of Public Instruction to schools. Adding § 22.1-207.4:1.
 Patrons: Roem, et al.
 Passed House 86
 Constitutional reading dispensed, referred to Committee on Education and Health 87
 Reported 122
 Constitutional reading dispensed, passed by for day 124, 125
 Read third time 128
 Passed Senate 130
 Reconsideration of vote on Senate passage 131
 Passed Senate 131-32

H.B. 5113 (continued)
 Statement on vote 132
 Signed by President 382
 Approved by Governor–Chapter 2 (effective 3/1/21)

H.B. 5115. Emergency laws; civil relief, citizens furloughed or otherwise receiving reduced wages or payments due to state of emergency declared by the Governor in response to the COVID-19 pandemic.
 Patrons: Price, et al.
 Passed House 65
 Motion to dispense with constitutional reading rejected 65-66
 Reconsideration of motion to dispense with constitutional reading 66
 Motion to dispense with constitutional reading rejected 66
 Clerk read title first time 66
 Referred to Committee on Commerce and Labor 67
 Rereferred to Committee on General Laws and Technology 116
 Reported with amendment 121
 Constitutional reading dispensed, passed by for day 124, 125
 Read third time 128
 Reading of amendment waived 130
 Committee amendment agreed to 130
 Engrossed 130
 Passed Senate 130
 Reconsideration of vote on Senate passage 131
 Passed by for day 132
 Passed by temporarily 146
 Passed Senate 355-56
 Statement on vote 356
 Senate amendment agreed to by House 387
 Signed by President 407
 House concurred in Governor’s recommendation 787
 Senate concurred in Governor’s recommendation 793
 Statement on vote 794
 Signed by President as reenrolled 796
 Enacted, Chapter 49 (effective 11/9/20)

H.B. 5116. Public and private employers; employers to provide eligible employees paid quarantine leave for illness or health condition related to COVID-19, etc., employers prohibited from taking certain retaliatory actions, use of federal funds to provide quarantine benefits to providers of consumer-directed or agency-directed personal assistance services. Adding §§ 40.1-33.3 through 40.1-33.7.
 Patrons: Guzman, et al.
 Passed House 109
 Constitutional reading dispensed, referred to Committee on Commerce and Labor 109

H.B. 5146. Criminal records; establishes a process for automatic expungement of records for certain convictions, disclosure of expunged records, deferred dispositions, acquittals, and for offenses that have been nolle prossed or otherwise dismissed, reports, effective dates. Amending §§ 9.1-101, 17.1-293.1, 17.1-323, 17.1-413, 17.1-502, 19.2-72, 19.2-74, 19.2-310.7, 19.2-389.3, and 19.2-390; adding §§ 19.2-392.5 through 19.2-392.14.
 Patrons: Herring, et al.
 Passed House 99
 Constitutional reading dispensed, referred to Committee on the Judiciary 99
 Reported with substitute 121
 Rereferred to Committee on Finance and Appropriations 121
 Reported 126

H.B. 5146 (continued)

Constitutional reading dispensed, passed by for day 136, 137
 Passed by temporarily 147
 Read third time 362
 Reading of substitute waived 362
 Committee substitute agreed to 362
 Engrossed 362
 Passed Senate 362
 Senate substitute rejected by House 386
 Senate insisted on substitute and requested committee of conference 392-93
 House acceded to request 402
 Conferees appointed 403

H.B. 5148. Earned sentence credits; a maximum of 4.5 sentence credits may be earned for each 30 days served on certain sentences, awarding and calculating credits using four-level classification system, effective date, report, Department of Corrections shall ensure that educational, vocational, counseling, and substance abuse programs are available at all state correctional facilities, etc. Amending § 53.1-202.3.

Patrons: Scott, et al.

Passed House 109
 Constitutional reading dispensed, referred to Committee on the Judiciary 109
 Rereferred to Committee on Rehabilitation and Social Services 121
 Reported with substitute 121
 Rereferred to Committee on Finance and Appropriations 121
 Reported 126
 Constitutional reading dispensed, passed by for day 136, 137
 Passed by temporarily 147
 Read third time 362
 Reading of substitute waived 363
 Committee substitute agreed to 363
 Engrossed 363
 Passed Senate 363
 Senate substitute rejected by House 386
 Senate insisted on substitute and requested committee of conference 393
 House acceded to request 402
 Conferees appointed 403
 Passed by temporarily 412
 Conference report adopted by Senate 611
 Conference report adopted by House 623
 Signed by President 758
 House concurred in Governor’s recommendation 787
 Senate concurred in Governor’s recommendation 795
 Signed by President as reenrolled 797
 Enacted, Chapter 50 (effective 7/1/22 - see bill)

H.J.R. 5006. General Assembly; limiting legislation to be considered by 2020 Special Session I and establishing a schedule for the conduct of business coming before such Session.

Patron: Herring

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H.J.R. 5006 (continued)

Motion to suspend the Rules, discharge committee, waive readings, and take up for immediate consideration; substitute motion by Senator Norment to agree to resolution; and motion for pending question 20

Parliamentary inquiry 20

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Rules suspended, committee discharged, readings waived, and taken up for immediate consideration. 20-21

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H.J.R. 5010. Speaker of the House of Delegates; confirms various appointments.

Patron: Filler-Corn

Agreed to by House 86

Reading waived, referred to Committee on Rules 87

Reported 122

Read second time 125

Read third time 137

Agreed to by Senate 137

Reconsideration of vote 138-39

Passed by for day 139

Agreed to by Senate 363

H.J.R. 5012. Legislative Services, Division of; confirming appointment of the Director.

Patron: Filler-Corn

Agreed to by House 86

Reading waived, referred to Committee on Rules 87

SUBJECT INDEX

ABOLITION DAY

Abolition Day; designating as December 6, 2020, and each succeeding year thereafter. (Patron–Davis, HJR 5004)

ABSENTEE BALLOTS

Absentee voting; unsolicited absentee ballot applications. Adding § 24.2-714. (Patron–Batten, HB 5079)

Elections, Department of; appropriations to be used to provide prepaid postage for return of absentee ballots for November 3, 2020, election, mailed absentee ballots shall be returned by mail to general registrar’s office, in person to general registrar, to a drop-off location, etc. Amending Chapter 1289, 2020 Acts. (Patron–Sickles, HB 5103; Howell, SB 5120, CH 1)

ADMINISTRATION OF GOVERNMENT

Adult protective services; creates a central registry of substantiated complaints of adult abuse, neglect, and exploitation to be maintained by the Department for Aging and Rehabilitative Services. Amending §§ 2.2-3802, 51.5-148, and 63.2-1605; adding §§ 51.5-148.1, 51.5-148.2, 63.2-1605.1, 63.2-1605.2, and 63.2-1605.3. (Patron–Head, HB 5042)

Attorney General; investigation and prosecution of certain offenses committed by a law-enforcement officer. Amending §§ 2.2-511, 2.2-520, and 15.2-1627; adding §§ 2.2-524.1 and 9.1-601. (Patron–Price, HB 5065)

Attorney General; prosecution of criminal cases involving certain felonies committed by law-enforcement officers. Amending § 2.2-511. (Patron–Ebbin, SB 5040)

Broadband services; appropriates to the Department of Housing and Community Development a sum sufficient to expand access to services in underserved and unserved areas of the Commonwealth. (Patron–McDougle, SB 5115)

Budget bill; appropriated funds for the 2020-2022 biennium. Amending Chapter 1289, 2020 Acts. (Patron–Torian, HB 5005; Howell, SB 5015)

Emergency Services and Disaster Law; powers and duties of Governor, purchase of personal protective equipment (PPE) during a disaster caused by a communicable disease of public health threat, clarification of definition of “PPE,” awarding contracts, purchasing PPE for private, nongovernmental entities. Amending §§ 2.2-4343 and 44-146.17. (Patron–Helmer, HB 5050, CH 38; Marsden, SB 5039, CH 17)

Juneteenth; recognizing June 19th of each year as a legal holiday in the Commonwealth commemorating the announcement of the abolition of slavery in Texas. Amending § 2.2-3300. (Patron–Bagby, HB 5052, CH 4; Locke, SB 5031, CH 5)

Law-enforcement agencies; acquisition and use of military property, Department of Criminal Justice Services to establish training standards, etc., and update policies for law-enforcement personnel in handling and use of tear gas or other gases and kinetic impact munitions, etc., establish and administer a waiver process for agencies to use certain military property, etc., prohibited practices for law-enforcement officers during an arrest or detention, penalties. Amending §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3; adding §§ 2.2-5515, 15.2-1721.1, 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron–Helmer, HB 5049, CH 55)

Law-enforcement misconduct; Attorney General authorized to file civil suit or inquire into or seek to conciliate any unlawful pattern and practice against the Commonwealth, etc., conciliation agreements with localities. Amending § 2.2-520; adding § 2.2-511.1. (Patron–Lopez, HB 5072, CH 18; Lucas, SB 5024, CH 19)

Novel coronavirus (COVID-19) pandemic; State Inspector General to investigate the Commonwealth’s response to the public health emergency. (Patron–Gilbert, HB 5124)

United States flag; prohibition on removal on any private personal property, etc. Adding § 2.2-3606. (Patron–Davis, HB 5031)

Virginia Freedom of Information Act; individual votes of members of the Virginia Parole Board shall be public records and subject to provisions of the Act. Amending § 2.2-3703. (Patron–Rush, HB 5092; Suetterlein, SB 5012)

Virginia Freedom of Information Act; law-enforcement criminal incident information, definitions, criminal investigative files. Amending § 2.2-3706. (Patron–Hurst, HB 5090)

AGING AND REHABILITATIVE SERVICES, DEPARTMENT FOR

Adult protective services; creates a central registry of substantiated complaints of adult abuse, neglect, and exploitation to be maintained by the Department for Aging and Rehabilitative Services. Amending §§ 2.2-3802, 51.5-148, and 63.2-1605; adding §§ 51.5-148.1, 51.5-148.2, 63.2-1605.1, 63.2-1605.2, and 63.2-1605.3. (Patron—Head, HB 5042)

AGRICOLA, IRA

Agricola, Ira; commending. (Patron—DeSteph, SR 521)

ALCOHOLIC BEVERAGE CONTROL ACT

Alcohol and marijuana-related offenses; person allowed to petition for expungement of convictions and deferred disposition dismissals when the offense occurred prior to the person's twenty-first birthday, etc. Amending §§ 19.2-389.3, 19.2-392.2, and 19.2-392.4. (Patron—McDougle, SB 5110)

Alcoholic beverage control; local special events license, limitations on events during public health emergency. Amending §§ 4.1-206 and 4.1-206.3. (Patron—McPike, SB 5036, CH 34)

ALEXANDER, JOSEPH

Alexander, Joseph; recording sorrow upon death. (Patron—Ebbin, SR 546)

ANDERSON, ROBERT JOSEPH

Anderson, Robert Joseph; recording sorrow upon death. (Patron—Deeds, SR 531)

APPOINTMENTS

Legislative Services, Division of; confirming appointment of the Director. (Patron—Filler-Corn, HJR 5012)

Speaker of the House of Delegates; confirms various appointments. (Patron—Filler-Corn, HJR 5010)

APPROPRIATION ACT

Emergency medical services and equipment at the site of a riot or unlawful assembly; Class 6 felony for any person to damage the operation of any equipment or apparatus, etc. Amending §§ 18.2-151.1 and 18.2-414.1. (Patron—DeSteph, SB 5074)

APPROPRIATIONS

Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony. Amending § 18.2-57. (Patron—Norment, SB 5010; Reeves, SB 5019)

Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony, necessary appropriation for periods of imprisonment. Amending § 18.2-57. (Patron—Campbell, R.R., HB 5143)

Broadband services; appropriates to the Department of Housing and Community Development a sum sufficient to expand access to services in underserved and unserved areas of the Commonwealth. (Patron—McDougle, SB 5115)

Budget bill; appropriated funds for the 2020-2022 biennium. Amending Chapter 1289, 2020 Acts. (Patron—Torian, HB 5005; Howell, SB 5015)

Criminal records; establishes a process for automatic expungement of records for certain convictions, disclosure of expunged records, deferred dispositions, acquittals, and for offenses that have been nolle prossed or otherwise dismissed, reports, effective dates. Amending §§ 9.1-101, 17.1-293.1, 17.1-323, 17.1-413, 17.1-502, 19.2-72, 19.2-74, 19.2-310.7, 19.2-389.3, and 19.2-390; adding §§ 19.2-392.5 through 19.2-392.14. (Patron—Herring, HB 5146)

Crisis intervention team training; appropriates a sum sufficient to provide basic and advanced training to all state and local law-enforcement officers. (Patron—McDougle, SB 5113)

Elections, Department of; appropriations to be used to provide prepaid postage for return of absentee ballots for November 3, 2020, election, mailed absentee ballots shall be returned by mail to general registrar's office, in person to general registrar, to a drop-off location, etc. Amending Chapter 1289, 2020 Acts. (Patron—Sickles, HB 5103; Howell, SB 5120, CH 1)

Hate crimes; falsely summoning or giving false reports to law-enforcement officials, increases penalty. Amending § 18.2-461. (Patron—Askew, HB 5098, CH 22)

APPROPRIATIONS (continued)

- Injury to property or persons by persons unlawfully or riotously assembled; penalty. Amending § 18.2-414. (Patron-Reeves, SB 5059)
- Person in custody of a law-enforcement officer, inmate, parolee, probationer, juvenile detainee, or pretrial defendant or posttrial offender; carnal knowledge of a person detained or arrested, adds private, local, or state law-enforcement agency to list, penalty. Amending § 18.2-64.2. (Patron-Delaney, HB 5045, CH 26)
- Person's identity; use with the intent to coerce, intimidate, or harass, public officials, penalty. Amending § 18.2-186.4. (Patron-McGuire, HB 5067)
- Placing swastika on certain property with intent to intimidate; increases penalty. Amending § 18.2-423.1. (Patron-Reeves, SB 5055)
- Policing reform; acquisition of military property, handling and use of tear gas or other gases and kinetic impact munitions, training for law-enforcement officers in de-escalation techniques, compulsory in-service training standards, guidelines and standards for psychological examinations, change in membership for the Criminal Justice Services Board, etc., report. Amending §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4; adding §§ 2.2-5515, 9.1-112.1, 15.2-1721.1, and 19.2-83.3 through 19.2-83.7. (Patron-Locke, SB 5030, CH 37)
- Projecting laser at another person unlawful; penalties. Amending § 18.2-57.01. (Patron-Webert, HB 5080)
- Riots; person is guilty of a Class 6 felony if commits an act of violence during a riot, etc. Amending § 18.2-405. (Patron-Reeves, SB 5056)
- Riots and unlawful assemblies; dangerous weapons, penalty. Amending §§ 18.2-405 and 18.2-406. (Patron-Gilbert, HB 5125; DeSteph, SB 5073)
- Unlawful assembly; acts of violence, penalty. Amending § 18.2-406. (Patron-Reeves, SB 5057)

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- Law-enforcement officer conduct during an arrest or detention; use of force, prohibited practices. Adding §§ 19.2-83.3 and 19.2-83.4. (Patron-Aird, HB 5114)

ARTEMEL, ENGIN MEHMET

- Artemel, Engin Mehmet; recording sorrow upon death. (Patron-Ebbin, SR 525)

ASSAULT AND BATTERY

- Assault and battery; eliminates the mandatory minimum term of confinement if committed against a judge, magistrate, law-enforcement officer, firefighter, etc., prosecution. Amending § 18.2-57; adding § 19.2-9.2. (Patron-Surovell, SB 5032)
- Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony. Amending § 18.2-57. (Patron-Norment, SB 5010; Reeves, SB 5019)
- Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony, necessary appropriation for periods of imprisonment. Amending § 18.2-57. (Patron-Campbell, R.R., HB 5143)

ASSISTED LIVING FACILITIES

- Hospices, certain, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability, COVID-19. Adding § 8.01-225.03. (Patron-Willett, HB 5059, CH 6; Marsden, SB 5082, CH 7)
- Nursing home and assisted living facility residents and employees; first priority for testing for COVID-19 virus. Adding § 32.1-45.5. (Patron-Chafin, SB 5109)

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- Attorney General; investigation and prosecution of certain offenses committed by a law-enforcement officer. Amending §§ 2.2-511, 2.2-520, and 15.2-1627; adding §§ 2.2-524.1 and 9.1-601. (Patron-Price, HB 5065)
- Attorney General; prosecution of criminal cases involving certain felonies committed by law-enforcement officers. Amending § 2.2-511. (Patron-Ebbin, SB 5040)

ATTORNEY GENERAL (continued)

Law-enforcement misconduct; Attorney General authorized to file civil suit or inquire into or seek to conciliate any unlawful pattern and practice against the Commonwealth, etc., conciliation agreements with localities. Amending § 2.2-520; adding § 2.2-511.1. (Patron–Lopez, HB 5072, CH 18; Lucas, SB 5024, CH 19)

BARKER, GEORGE L.

Notified Clerk of presence 24, 45

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Beekman, Kevin; recording sorrow upon death. (Patron–Ebbin, SR 547)

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Crisis intervention team program; annual report by Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services. Amending §§ 9.1-187 and 9.1-190. (Patron–Kory, HB 5060)

Mental health awareness response and community understanding services (Marcus) alert system; Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services shall support development and establishment in localities and areas throughout the Commonwealth. Amending § 9.1-102; adding §§ 9.1-193 through 9.1-196. (Patron–McClellan, SB 5084)

Mental health crises; Department of Criminal Justice Services to advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement agencies cooperation, with development and implementation of the mental health awareness response and community understanding services (Marcus) alert system, definitions, protocol and training for law-enforcement participation in Marcus alert system, response to mental health crises, comprehensive crisis system, report. Amending § 9.1-102; adding §§ 9.1-193 and 37.2-311.1. (Patron–Bourne, HB 5043, CH 41; McPike, SB 5038, CH 42)

Mobile crisis co-response team programs; Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services shall support the development and establishment of a mental health first response and alert system that uses programs in areas throughout the Commonwealth, program protocol and assessment, report. Amending § 9.1-102; adding §§ 9.1-187.1, 9.1-188.1, 9.1-189.1, and 9.1-190.1. (Patron–Kory, HB 5086)

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Brickley, Lori Lee; recording sorrow upon death. (Patron–McPike, SR 540)

BROWNING, R. WAYNE, SR.

Browning, R. Wayne, Sr.; recording sorrow upon death. (Patron–Lewis, SR 514)

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Bryant, James Orris, Sr.; commending. (Patron–Newman, SR 509)

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Budget bill; appropriated funds for the 2020-2022 biennium. Amending Chapter 1289, 2020 Acts. (Patron–Torian, HB 5005; Howell, SB 5015)

Elections, Department of; appropriations to be used to provide prepaid postage for return of absentee ballots for November 3, 2020, election, mailed absentee ballots shall be returned by mail to general registrar’s office, in person to general registrar, to a drop-off location, etc. Amending Chapter 1289, 2020 Acts. (Patron–Sickles, HB 5103; Howell, SB 5120, CH 1)

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Political campaign advertisements; referendum committees to make certain disclosures. Amending §§ 24.2-945.1, 24.2-955, 24.2-955.1, 24.2-955.2, 24.2-957.2, and 24.2-958.2. (Patron–Miyares, HB 5038)

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Capitol Square Preservation Council; powers and duties, review and approval of plans for changes to artifacts contained within the Capitol Building. Amending § 30-194. (Patron–Norment, SB 5047)

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Catoctin Creek Distilling Company; commending. (Patron–Bell, SR 519)

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Health care providers; certain immunity during disaster caused by communicable disease when public health threat has been declared, certain liability protection. Amending §§ 8.01-225.01, 8.01-225.02, and 44-146.16. (Patron–Norment, SB 5023)

Hospices, certain, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability, COVID-19. Adding § 8.01-225.03. (Patron–Willett, HB 5059, CH 6; Marsden, SB 5082, CH 7)

Law-enforcement free zones and standing down during a riot or unlawful assembly; civil action. Adding § 8.01-42.6. (Patron–Stanley, SB 5079)

Law-enforcement officer; civil action for deprivation of rights. Adding § 8.01-42.6. (Patron–Morrissey, SB 5065)

CIVIL REMEDIES AND PROCEDURE (continued)

Law-enforcement officers; an officer may bring an action against any person, group of persons, organization, etc., to recover damages, together with reasonable costs and attorney fees, sustained during such officer's performance of official duties, etc. Adding § 8.01-42.6. (Patron—Adams, L.R., HB 5012)

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§ 2.2-511, amending	HB 5065, SB 5040
§ 2.2-511.1, adding	HB 5072, SB 5024
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§ 2.2-3300, amending	HB 5052, SB 5031
§ 2.2-3606, adding	HB 5031
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§ 2.2-3706, amending	HB 5090
§ 2.2-3802, amending	HB 5042
§ 2.2-4343, amending	HB 5050, SB 5039
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§ 3.2-4113, amending	HB 5141
§ 4.1-206, amending	SB 5036
§ 4.1-206.3, amending	SB 5036
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§ 8.01-512.4, amending	HB 5068
§ 9.1-101, amending	HB 5049, HB 5126, HB 5146
§ 9.1-101, amending	SB 5030
§ 9.1-102, amending	HB 5032, HB 5043, HB 5049
§ 9.1-102, amending	HB 5051
§ 9.1-102, amending	HB 5061, HB 5066, HB 5086
§ 9.1-102, amending	HB 5104

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§ 9.1-107, amending HB 5063

§ 9.1-108, amending HB 5108, SB 5030

§ 9.1-112, repealing HB 5063, HB 5108, SB 5030, SB 5037

§ 9.1-112.1, adding HB 5066, HB 5109, SB 5030

§ 9.1-114.3, adding HB 5137

§ 9.1-116.7, adding HB 5017, SB 5052

§ 9.1-187, amending HB 5060, HB 5127

§ 9.1-187.1, adding HB 5086

§ 9.1-188, amending SB 5014

§ 9.1-188.1, adding HB 5086

§ 9.1-189.1, adding HB 5086

§ 9.1-190, amending HB 5060

§ 9.1-190.1, adding HB 5086

§ 9.1-193, adding HB 5043

§ 9.1-193, adding HB 5081

§ 9.1-193, adding SB 5038

§ 9.1-193, adding SB 5084

§ 9.1-194, adding SB 5084

§ 9.1-195, adding SB 5084

§ 9.1-196, adding SB 5084

§ 9.1-507, amending HB 5055, SB 5035

§ 9.1-600, amending HB 5044

§ 9.1-601, adding HB 5055, HB 5065, HB 5091, SB 5035

§ 9.1-923, amending HB 5089

§ 15.2-915, amending HB 5020, SB 5108

§ 15.2-919, amending HB 5058, SB 5029

§ 15.2-1123.1, amending HB 5049

§ 15.2-1123.1, amending SB 5030

§ 15.2-1507, amending HB 5055

§ 15.2-1507, amending SB 5035

§ 15.2-1609.10, amending SB 5030

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§ 15.2-1704.2, adding	HB 5112
§ 15.2-1705, amending	HB 5066, HB 5076, HB 5104, HB 5109, HB 5133, SB 5030
§ 15.2-1707, amending	HB 5051, HB 5133, HB 5136, SB 5030, SB 5063, SB 5112
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§ 15.2-1722.1, amending	SB 5030
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§ 16.1-260, amending	HB 5141
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§ 16.1-278.9, amending	HB 5141
§ 17.1-205.1, adding	SB 5043
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§ 17.1-275.2, amending	HB 5062
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§ 18.2-151.1, amending SB 5074

§ 18.2-186.4, amending HB 5067

§ 18.2-248.1, amending HB 5141

§ 18.2-250, amending HB 5141

§ 18.2-250.1, amending HB 5058, HB 5141, SB 5013, SB 5029

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§ 18.2-308.2:5, amending HB 5024

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§ 18.2-406, amending HB 5125, SB 5057, SB 5073

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§ 18.2-414, amending SB 5059, SB 5075

§ 18.2-414.1, amending HB 5132, SB 5060, SB 5074

§ 18.2-416, amending SB 5061

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§ 18.2-423, amending SB 5053

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§ 19.2-3.1, amending HB 5147

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§ 19.2-188.1, amending	HB 5141
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§ 19.2-243, amending	HB 5085
§ 19.2-264.3, amending	HB 5084, SB 5007
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§ 19.2-295, amending	HB 5084, SB 5007
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§ 19.2-310.7, amending	HB 5146
§ 19.2-335, amending	HB 5062
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§ 19.2-392.8, adding HB 5146

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§ 19.2-392.13, adding HB 5146

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§ 22.1-199.8, adding HB 5022

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§ 22.1-212.1, amending SB 5021

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§ 58.1-322.03, amendingHB 5077, SB 5092

§ 58.1-339.13, addingHB 5033, HB 5077, HB 5129, SB 5092, SB 5102

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§ 60.2-712, amendingHB 5087, SB 5107

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COMMENDING RESOLUTIONS

Agricola, Ira; commending. (Patron–DeSteph, SR 521)	
Bowen, Clifford T.; commending. (Patron–Norment, SR 526)	
Bryant, James Orris, Sr.; commending. (Patron–Newman, SR 509)	
Catoctin Creek Distilling Company; commending. (Patron–Bell, SR 519)	
Cave Spring High School boys’ basketball team; commending. (Patron–Suetterlein, SR 517)	
Dawkins, Nolan; commending. (Patron–Ebbin, SR 502)	
Disabled American Veterans; commemorating its 100th anniversary. (Patron–Reeves, SR 520)	
Gardner, Ricky; commending. (Patron–Newman, SR 511)	
Hilton Elementary School; commending. (Patron–Pillion, SR 558)	
Hines, Patricia Swecker; commending. (Patron–Suetterlein, SR 518)	
Huff, Delby; commemorating his 100th birthday. (Patron–Morrissey, SR 559)	
Human Food RVA; commending. (Patron–DeSteph, SR 524)	
Johnson, Geraldine Bailey Williams; commemorating her 100th birthday. (Patron–Morrissey, SR 538)	
Jones, Elaine R.; commemorating 50th anniversary of her historic graduation from University of Virginia School of Law. (Patron–McClellan, SR 548)	
Leider, Anna; commending. (Patron–Ebbin, SR 533)	
Lewis, Annie Eliza; commemorating her 100th birthday. (Patron–McClellan, SR 550)	
Mapes, Christina; commending. (Patron–Kiggans, SR 563)	
Pantele, Lindsey; commending. (Patron–Dunnavant, SR 527)	
Saxe, Janine M.; commending. (Patron–Surovell, SR 564)	
Smuggler’s Point fishing vessel; commending the captain and crew. (Patron–Stuart, SR 549)	
Strike Fighter Squadron 213; commending. (Patron–Kiggans, SR 541)	
Vindman, Alexander Semyon; commending. (Patron–McPike, SR 542)	
Virginia Hospital & Healthcare Association, Virginia’s hospitals, and hospital workers; commending. (Patron–Saslaw, SR 505)	
Vye, Lloyd J.; commending. (Patron–Surovell, SR 516)	

COMMISSIONS, BOARDS, AND INSTITUTIONS GENERALLY

Civil cause of action; intentional act or act of gross negligence by member of the Virginia Parole Board. Adding § 53.1-140.1. (Patron–Rush, HB 5097)	
Civil Rights and Policing, Commission on; established, membership, report, sunset provision. Adding §§ 30-391 through 30-397. (Patron–Stuart, SB 5003)	
Criminal Justice Services Board and Committee on Training; increases number of members and responsibilities. Amending §§ 9.1-108 and 9.1-112. (Patron–Guzman, HB 5108, CH 28)	
Criminal Justice Services Board; changes membership of the Committee on Training. Amending § 9.1-112. (Patron–Favola, SB 5037)	
Emergency Services and Disaster Law; executive orders or order of Board or Commissioner of Health, communicable diseases of public health threat, limitation on scope. Amending §§ 32.1-13, 32.1-20, 32.1-42, and 44-146.17. (Patron–Cole, M.L., HB 5025)	
Emergency Services and Disaster Law; neither Board of Health nor Commissioner of Health shall make any emergency orders and regulations, exceptions. Amending §§ 32.1-13, 32.1-20, 32.1-42, and 44-146.17. (Patron–LaRock, HB 5075)	

COMMISSIONS, BOARDS, AND INSTITUTIONS GENERALLY (continued)

- Health, Board and Commissioner of; appeal of an order, award to person who operates a business. Adding § 32.1-29.1. (Patron–Davis, HB 5027)
- Hospitals, nursing homes, certified nursing facilities, and hospices; Board of Health to amend regulations to require such entities to adopt protocols to ensure that each patient is able to receive virtual visits during a public health emergency. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Fariss, HB 5144)
- Law-enforcement agencies; all local and state agencies to obtain and maintain accreditation by the Virginia Law Enforcement Professionals Standards Commission. Amending § 9.1-102; adding § 9.1-114.3. (Patron–Avoli, HB 5137)
- Law-enforcement officers; Criminal Justice Services Board to adopt statewide professional standards of conduct applicable to all officers, notification of misconduct. Amending §§ 9.1-102 and 15.2-1707. (Patron–Avoli, HB 5136)
- Law-enforcement officers and jail officers, certified; sheriff, chief of police, or agency administrator shall notify the Criminal Justice Services Board in writing within 48 hours if any officer is terminated or resigns for engaging in serious misconduct, etc., report. Amending §§ 9.1-102 and 15.2-1707. (Patron–Simon, HB 5051, CH 27)
- Parole; Department of Corrections shall release a prisoner no sooner than 21 business days after the date of notification by the Virginia Parole Board to the appropriate attorney for the Commonwealth of the decision to grant parole, etc. Amending §§ 53.1-136 and 53.1-155. (Patron–Obenshain, SB 5050)
- Parole; Parole Board shall contact the victim prior to making any decision to release any inmate on discretionary parole, definition of the term “victim.” Amending § 53.1-155. (Patron–McGuire, HB 5100)
- Parole; Parole Board shall contact the victim prior to making any decision to release any inmate on discretionary parole, etc. Amending § 53.1-155. (Patron–Miyares, HB 5015)
- Policing reform; acquisition of military property, handling and use of tear gas or other gases and kinetic impact munitions, training for law-enforcement officers in de-escalation techniques, compulsory in-service training standards, guidelines and standards for psychological examinations, change in membership for the Criminal Justice Services Board, etc., report. Amending §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4; adding §§ 2.2-5515, 9.1-112.1, 15.2-1721.1, and 19.2-83.3 through 19.2-83.7. (Patron–Locke, SB 5030, CH 37)
- Public health emergency; any emergency order or regulation adopted by the Board of Health shall be valid for no more than 45 days and that such order may be extended by the Board, Board to provide notice and receive public comment on order or regulation, etc. Amending §§ 32.1-13, 32.1-20, 35.1-10, 40.1-22, and 44-146.17; adding § 32.1-38.1. (Patron–Byron, HB 5023)
- Public health emergency; eliminates authority of the Board of Health or Commissioner of Health to require, during an epidemic of a disease of public health importance for which a vaccine exists, that a person receive such vaccine, etc. Amending §§ 23.1-800, 32.1-46, and 32.1-48. (Patron–LaRock, HB 5070)
- Telemedicine services; Board of Medical Assistance Services to amend state plan for medical assistance services to provide for payment of assistance for medically necessary health care services provided through telemedicine services, regardless of originating site, definition, etc. Amending §§ 32.1-325, 38.2-3418.16, and 38.2-4319. (Patron–Adams, D.M., HB 5046, CH 44; Barker, SB 5080, CH 53)
- Telemedicine services; Board of Medical Assistance Services to amend state plan for medical assistance services to provide for payment of assistance for medically necessary health care services provided through telemedicine services, regardless of originating site, etc. Amending §§ 32.1-325, 38.2-3418.16, and 38.2-4319. (Patron–Dunnavant, SB 5087)
- Unemployment compensation; extends the date by which the Virginia Employment Commission is required to establish and implement a short-time compensation program by January 1, 2022, repeals provisions that established a program that provides employers with option of reducing hours worked by employees, etc. Amending § 60.2-712; repealing third and fourth enactments of Chapter 1261, 2020 Acts. (Patron–Tran, HB 5087, CH 8)

COMMISSIONS, BOARDS, AND INSTITUTIONS GENERALLY (continued)

- Unemployment compensation; extends the date by which the Virginia Employment Commission is required to establish and implement a short-time compensation program not later than January 1, 2022, repeals provisions that established a program that provides employers with option of reducing hours worked by employees, etc. Amending § 60.2-712; repealing third and fourth enactments of Chapter 1261, 2020 Acts. (Patron—McPike, SB 5107)
- Virginia Criminal Sentencing Commission and Department of Planning and Budget, et al.; effective provision, pilot programs, required to prepare fiscal impact statements. Amending § 30-19.1:4. (Patron—Surovell, SB 5045)
- Virginia Freedom of Information Act; individual votes of members of the Virginia Parole Board shall be public records and subject to provisions of the Act. Amending § 2.2-3703. (Patron—Rush, HB 5092; Suetterlein, SB 5012)

COMMONWEALTH PUBLIC SAFETY

- Attorney General; investigation and prosecution of certain offenses committed by a law-enforcement officer. Amending §§ 2.2-511, 2.2-520, and 15.2-1627; adding §§ 2.2-524.1 and 9.1-601. (Patron—Price, HB 5065)
- Civilian deaths in custody; every law-enforcement agency and correctional facility to report to the Department of Criminal Justice Services certain information regarding the death of any person who is detained, under arrest or in the process of being arrested, etc., report. Adding § 9.1-193. (Patron—Price, HB 5081)
- Criminal Justice Services Board and Committee on Training; increases number of members and responsibilities. Amending §§ 9.1-108 and 9.1-112. (Patron—Guzman, HB 5108, CH 28)
- Criminal Justice Services, Department of; creation of statewide telephone hotline for complaints of police misconduct. Amending § 9.1-102. (Patron—Miyares, HB 5032)
- Criminal Justice Services, Department of; de-escalation techniques and practices for law-enforcement personnel, compulsory minimum training standards for certification and recertification of law-enforcement officers. Amending § 9.1-102. (Patron—Wampler, HB 5128)
- Criminal Justice Services, Department of; powers and duties of Director, law-enforcement training standards, repeals provision relating to Committee on Training. Amending § 9.1-107; repealing § 9.1-112. (Patron—Price, HB 5063)
- Criminal justice training academies; adds to the powers and duties of Department of Criminal Justice Services regarding oversight and evaluation of academies, report. Amending § 9.1-102. (Patron—Norment, SB 5005)
- Criminal Justices Services Board; changes membership of the Committee on Training. Amending § 9.1-112. (Patron—Favola, SB 5037)
- Criminal records; establishes a process for automatic expungement of records for certain convictions, disclosure of expunged records, deferred dispositions, acquittals, and for offenses that have been nolle prossed or otherwise dismissed, reports, effective dates. Amending §§ 9.1-101, 17.1-293.1, 17.1-323, 17.1-413, 17.1-502, 19.2-72, 19.2-74, 19.2-310.7, 19.2-389.3, and 19.2-390; adding §§ 19.2-392.5 through 19.2-392.14. (Patron—Herring, HB 5146)
- Crisis intervention team program; annual report by Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services. Amending §§ 9.1-187 and 9.1-190. (Patron—Kory, HB 5060)
- Crisis intervention team training; appropriates a sum sufficient to provide basic and advanced training to all state and local law-enforcement officers. (Patron—McDougle, SB 5113)
- Crisis intervention teams; Department of Criminal Justice Services to include in criteria for development of teams a requirement that each team include at least two individuals who are bilingual and multilingual. Amending § 9.1-187. (Patron—Kory, HB 5127)
- Law-enforcement agencies; acquisition and use of military property, Department of Criminal Justice Services to establish training standards, etc., and update policies for law-enforcement personnel in handling and use of tear gas or other gases and kinetic impact munitions, etc., establish and administer a waiver process for agencies to use certain military property, etc., prohibited practices for law-enforcement officers during an arrest or detention, penalties. Amending §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3; adding §§ 2.2-5515, 15.2-1721.1, 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron—Helmer, HB 5049, CH 55)

COMMONWEALTH PUBLIC SAFETY (continued)

- Law-enforcement agencies; all local and state agencies to obtain and maintain accreditation by the Virginia Law Enforcement Professionals Standards Commission. Amending § 9.1-102; adding § 9.1-114.3. (Patron–Avoli, HB 5137)
- Law-enforcement agencies; creates a special nonreverting fund to be known as the Body-Worn Camera System Fund to assist state or local agencies with costs of purchasing, etc., body-worn camera systems. Adding § 9.1-116.7. (Patron–Reeves, SB 5052)
- Law-enforcement agencies; minimum standards for citizen complaints against law enforcement, investigation time limits. Amending § 9.1-600. (Patron–Davis, HB 5044)
- Law-enforcement civilian oversight bodies; governing body of a locality may establish, oversight body shall reflect demographic diversity of locality, duties of oversight body, etc., effective date. Amending §§ 9.1-507 and 15.2-1507; adding § 9.1-601. (Patron–Herring, HB 5055, CH 29; Hashmi, SB 5035, CH 30)
- Law-enforcement officer training and qualifications; Department of Criminal Justice Services required to develop a uniform curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards, etc., criminal justice training academies, hiring agency or jail may require a candidate for employment to undergo a psychological examination. Amending §§ 9.1-102 and 15.2-1705; adding § 9.1-112.1. (Patron–Hope, HB 5109, CH 48)
- Law-enforcement officer training and qualifications; Department of Criminal Justice Services required to develop uniform curriculum and lesson plans, effective date. Amending §§ 9.1-102 and 15.2-1705; adding § 9.1-112.1. (Patron–Price, HB 5066)
- Law-enforcement officers; Criminal Justice Services Board to adopt statewide professional standards of conduct applicable to all officers, notification of misconduct. Amending §§ 9.1-102 and 15.2-1707. (Patron–Avoli, HB 5136)
- Law-enforcement officers; officers to complete crisis intervention training as part of the compulsory minimum training standards subsequent to employment, Department of Criminal Justice Services to update policies for personnel in awareness of systemic and individual racism, bias-based profiling, etc. Amending §§ 9.1-102 and 9.1-188. (Patron–Edwards, SB 5014, CH 36)
- Law-enforcement officers; required release of video or audio recording, discharge of firearm or use of stun gun or chemical irritant, exceptions to such release. Adding § 9.1-601. (Patron–Rasoul, HB 5091)
- Law-enforcement officers and jail officers, certified; sheriff, chief of police, or agency administrator shall notify the Criminal Justice Services Board in writing within 48 hours if any officer is terminated or resigns for engaging in serious misconduct, etc., report. Amending §§ 9.1-102 and 15.2-1707. (Patron–Simon, HB 5051, CH 27)
- Law-enforcement officers, deputy sheriff, jail officer, etc.; minimum qualifications, disclosure of information to a prospective hiring agency or jail, psychological examination. Amending §§ 9.1-102, 15.2-1705, and 15.2-1709. (Patron–Price, HB 5104, CH 32)
- Mental health awareness response and community understanding services (Marcus) alert system; Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services shall support development and establishment in localities and areas throughout the Commonwealth. Amending § 9.1-102; adding §§ 9.1-193 through 9.1-196. (Patron–McClellan, SB 5084)
- Mental health crises; Department of Criminal Justice Services to advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement agencies cooperation, with development and implementation of the mental health awareness response and community understanding services (Marcus) alert system, definitions, protocol and training for law-enforcement participation in Marcus alert system, response to mental health crises, comprehensive crisis system, report. Amending § 9.1-102; adding §§ 9.1-193 and 37.2-311.1. (Patron–Bourne, HB 5043, CH 41; McPike, SB 5038, CH 42)
- Mobile crisis co-response team programs; Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services shall support the development and establishment of a mental health first response and alert system that uses programs in areas throughout the Commonwealth, program protocol and assessment, report. Amending § 9.1-102; adding §§ 9.1-187.1, 9.1-188.1, 9.1-189.1, and 9.1-190.1. (Patron–Kory, HB 5086)

COMMONWEALTH PUBLIC SAFETY (continued)

Policing reform; acquisition of military property, handling and use of tear gas or other gases and kinetic impact munitions, training for law-enforcement officers in de-escalation techniques, compulsory in-service training standards, guidelines and standards for psychological examinations, change in membership for the Criminal Justice Services Board, etc., report. Amending §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4; adding §§ 2.2-5515, 9.1-112.1, 15.2-1721.1, and 19.2-83.3 through 19.2-83.7. (Patron-Locke, SB 5030, CH 37)

School resource officers; duties, prohibited from enforcing school board student discipline policies. Amending § 9.1-101. (Patron-Kory, HB 5126)

School security officers and school resource officers; compulsory minimum training standards, working with students with disabilities. Amending § 9.1-102. (Patron-Kory, HB 5061)

Sex Offender and Crimes Against Minors Registry; expands the Supplement to the Registry to include information on persons who were convicted of certain sexual offenses on or after July 1, 1970, and before July 1, 1994. Amending § 9.1-923. (Patron-Brewer, HB 5089)

Virginia Law Enforcement Professional Standards Commission Accreditation Grant Fund and Program; created and established. Adding § 9.1-116.7. (Patron-Webert, HB 5017)

COMMONWEALTH'S ATTORNEYS

Parole; Department of Corrections shall release a prisoner no sooner than 21 business days after the date of notification by the Virginia Parole Board to the appropriate attorney for the Commonwealth of the decision to grant parole, etc. Amending §§ 53.1-136 and 53.1-155. (Patron-Obenshain, SB 5050)

COMMUNICABLE DISEASES

Emergency Services and Disaster Law; executive orders or order of Board or Commissioner of Health, communicable diseases of public health threat, limitation on scope. Amending §§ 32.1-13, 32.1-20, 32.1-42, and 44-146.17. (Patron-Cole, M.L., HB 5025)

Emergency Services and Disaster Law; powers and duties of Governor, purchase of personal protective equipment (PPE) during a disaster caused by a communicable disease of public health threat, clarification of definition of "PPE," awarding contracts, purchasing PPE for private, nongovernmental entities. Amending §§ 2.2-4343 and 44-146.17. (Patron-Helmer, HB 5050, CH 38; Marsden, SB 5039, CH 17)

Long-term care facilities; during a declared public health emergency related to a communicable disease of public health threat, every hospital, nursing home, etc., shall allow visits from a patient's or resident's family members when patient has been diagnosed with a terminal condition or illness and the patient's death is expected to be imminent. Amending §§ 32.1-127, 32.1-162.5, and 63.2-1732. (Patron-Robinson, HB 5140)

Nursing homes; outbreaks of communicable disease, posting of information. Amending § 32.1-41; adding § 32.1-37.01. (Patron-Suetterlein, SB 5105)

Nursing homes; publication of information about certain communicable diseases. Amending §§ 32.1-23 and 32.1-41. (Patron-Newman, SB 5026)

Outbreaks of communicable disease of public health threat; posting of information about cases, "reporting entity." Adding § 32.1-37.01. (Patron-Sickles, HB 5048, CH 12; Barker, SB 5081, CH 24)

COMMUNITY COLLEGES

Virtual Virginia; community college dual enrollment courses. Amending § 22.1-212.2. (Patron-Dunnavant, SB 5093)

COMPUTER SERVICES AND USES

Broadband services; appropriates to the Department of Housing and Community Development a sum sufficient to expand access to services in underserved and unserved areas of the Commonwealth. (Patron-McDougle, SB 5115)

CONCEALED WEAPONS

Concealed handgun permit; local control of firearms. Amending § 15.2-915. (Patron-Davis, HB 5020; Chafin, SB 5108)

CONCEALED WEAPONS (continued)

Concealed handgun permits; demonstration of competence, changes effective date. Amending second enactment of Chapters 390 and 1130, 2020 Acts. (Patron–Stuart, SB 5041)

CONGRESS OF UNITED STATES

Federal elections scheduled for November 3, 2020; Congress of the United States urged to not delay or postpone. (Patron–Carroll Foy, HJR 5009)

United States Constitution; General Assembly to make application to Congress to call a convention of the states to propose amendments that impose fiscal restraints on the federal government, etc. (Patron–Campbell, R.R., HJR 5013)

CONOVER, JOHN

Conover, John; recording sorrowing upon death. (Patron–Deeds, SR 566)

CONSTITUTIONAL AMENDMENTS

Constitutional amendment; Governor required to convene a special session whenever declaring a state of emergency for a period that exceeds 90 days, etc. (first reference). Amending Section 6 of Article IV. (Patron–Webert, HJR 5003)

Constitutional amendment; limitations on Governor’s executive power related to states of emergency (first reference). Adding Section 7-A in Article V. (Patron–Freitas, HJR 5005)

Constitutional amendment; limits the authority of the Governor to issue an executive order, etc., state of emergency, required to convene a special session for purpose of General Assembly to approve extension of such order (first reference). Amending Section 6 of Article IV; adding Section 7-A in Article V. (Patron–Wilt, HJR 5001)

CORRECTIONAL ENTERPRISES

Civilian deaths in custody; every law-enforcement agency and correctional facility to report to the Department of Criminal Justice Services certain information regarding the death of any person who is detained, under arrest or in the process of being arrested, etc., report. Adding § 9.1-193. (Patron–Price, HB 5081)

Correctional facility, local; clarifies definition. Amending § 53.1-1. (Patron–Boysko, SB 5017, CH 23)

Correctional facility, local or state; mandatory reporting of all offenders released before the completion of the offender’s sentence. (Patron–Miyares, HB 5034)

Earned sentence credits; a maximum of 4.5 sentence credits may be earned for each 30 days served on certain sentences, awarding and calculating credits using four-level classification system, effective date, report, Department of Corrections shall ensure that educational, vocational, counseling, and substance abuse programs are available at all state correctional facilities, etc. Amending § 53.1-202.3. (Patron–Scott, HB 5148, CH 50)

COSGROVE, JOHN A., JR.

Addressed Senate in memory of Allied forces who fought in World War II; requested adjournment in memory 71
Notified Clerk of presence 45
Prayer offered 98

COUNTIES, CITIES, AND TOWNS

Attorney General; investigation and prosecution of certain offenses committed by a law-enforcement officer. Amending §§ 2.2-511, 2.2-520, and 15.2-1627; adding §§ 2.2-524.1 and 9.1-601. (Patron–Price, HB 5065)

Collective bargaining; no county, city, or town, or like governmental officer, agent, or governing body is vested with or possesses any authority to recognize any labor union or other employee association as a bargaining agent of any law-enforcement agency or its employees, etc. Amending § 40.1-57.2. (Patron–Newman, SB 5027; Stanley, SB 5078)

Collective bargaining; prohibits a county, city, or town from entering into a contract with a labor union or other employee association representing law-enforcement officers or employees of a law-enforcement agency, etc. Amending § 40.1-57.2. (Patron–LaRock, HB 5071)

Concealed handgun permit; local control of firearms. Amending § 15.2-915. (Patron–Davis, HB 5020; Chafin, SB 5108)

COUNTIES, CITIES, AND TOWNS (continued)

- Housing; extension of approvals to address crisis, extends sunset provision. Amending § 15.2-2209.1 and Chapter 660, 2017 Acts. (Patron–Deeds, SB 5044)
- Law-enforcement agencies; acquisition and use of military property, Department of Criminal Justice Services to establish training standards, etc., and update policies for law-enforcement personnel in handling and use of tear gas or other gases and kinetic impact munitions, etc., establish and administer a waiver process for agencies to use certain military property, etc., prohibited practices for law-enforcement officers during an arrest or detention, penalties. Amending §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3; adding §§ 2.2-5515, 15.2-1721.1, 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron–Helmer, HB 5049, CH 55)
- Law-enforcement agencies; all agencies having jurisdiction over criminal law enforcement or regulatory violations to implement and operate a body-worn camera system, etc. Amending § 15.2-1723.1. (Patron–Bell, HB 5135)
- Law-enforcement civilian oversight bodies; governing body of a locality may establish, oversight body shall reflect demographic diversity of locality, duties of oversight body, etc., effective date. Amending §§ 9.1-507 and 15.2-1507; adding § 9.1-601. (Patron–Herring, HB 5055, CH 29; Hashmi, SB 5035, CH 30)
- Law-enforcement misconduct; Attorney General authorized to file civil suit or inquire into or seek to conciliate any unlawful pattern and practice against the Commonwealth, etc., conciliation agreements with localities. Amending § 2.2-520; adding § 2.2-511.1. (Patron–Lopez, HB 5072, CH 18; Lucas, SB 5024, CH 19)
- Law-enforcement officer; duty to render aid, duty to report wrongdoing by another law-enforcement officer, penalty. Amending § 52-30.1; adding §§ 15.2-1704.1 and 15.2-1704.2. (Patron–Levine, HB 5112)
- Law-enforcement officer training and qualifications; Department of Criminal Justice Services required to develop a uniform curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards, etc., criminal justice training academies, hiring agency or jail may require a candidate for employment to undergo a psychological examination. Amending §§ 9.1-102 and 15.2-1705; adding § 9.1-112.1. (Patron–Hope, HB 5109, CH 48)
- Law-enforcement officer training and qualifications; Department of Criminal Justice Services required to develop uniform curriculum and lesson plans, effective date. Amending §§ 9.1-102 and 15.2-1705; adding § 9.1-112.1. (Patron–Price, HB 5066)
- Law-enforcement officers; changes minimum qualifications. Amending § 15.2-1705. (Patron–Coyner, HB 5076)
- Law-enforcement officers; Criminal Justice Services Board to adopt statewide professional standards of conduct applicable to all officers, notification of misconduct. Amending §§ 9.1-102 and 15.2-1707. (Patron–Avoli, HB 5136)
- Law-enforcement officers; decertification, acts that compromise integrity or credibility. Amending § 15.2-1707. (Patron–Reeves, SB 5063; McDougale, SB 5112)
- Law-enforcement officers; duty to intervene and report unlawful use of force. Adding § 15.2-1723.2. (Patron–Bell, HB 5134)
- Law-enforcement officers and jail officers, certified; sheriff, chief of police, or agency administrator shall notify the Criminal Justice Services Board in writing within 48 hours if any officer is terminated or resigns for engaging in serious misconduct, etc., report. Amending §§ 9.1-102 and 15.2-1707. (Patron–Simon, HB 5051, CH 27)
- Law-enforcement officers, deputy sheriff, jail officer, etc.; minimum qualifications, disclosure of information to a prospective hiring agency or jail, psychological examination. Amending §§ 9.1-102, 15.2-1705, and 15.2-1709. (Patron–Price, HB 5104, CH 32)
- Local land use approvals; extension of approvals to address the COVID-19 pandemic. Adding § 15.2-2209.1:1. (Patron–Lewis, SB 5106, CH 40)
- Localities; responsible for damages caused by inadequate police response. (Patron–Cole, M.L., HB 5026)
- Marijuana and certain traffic offenses; no law-enforcement officer may lawfully stop, search, or seize any person, place, etc., solely on basis of odor of marijuana, issuance of citations, etc. Amending §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300. (Patron–Hope, HB 5058, CH 45; Lucas, SB 5029, CH 51)

COUNTIES, CITIES, AND TOWNS (continued)

- Mental health awareness response and community understanding services (Marcus) alert system; Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services shall support development and establishment in localities and areas throughout the Commonwealth. Amending § 9.1-102; adding §§ 9.1-193 through 9.1-196. (Patron–McClellan, SB 5084)
- Mental health crises; Department of Criminal Justice Services to advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement agencies cooperation, with development and implementation of the mental health awareness response and community understanding services (Marcus) alert system, definitions, protocol and training for law-enforcement participation in Marcus alert system, response to mental health crises, comprehensive crisis system, report. Amending § 9.1-102; adding §§ 9.1-193 and 37.2-311.1. (Patron–Bourne, HB 5043, CH 41; McPike, SB 5038, CH 42)
- Monuments and memorials for war veterans; changes authority of localities, repeals an existing enactment clause that excludes a monument or memorial located on property of a public institution of higher education within the City of Lexington. Amending § 15.2-1812; repealing third enactment of Chapters 1100 and 1101, 2020 Acts. (Patron–McQuinn, HB 5030)
- Police officers, deputy sheriffs, and jail officers; employment and decertification. Amending §§ 15.2-1705, 15.2-1707, and 15.2-1709. (Patron–Bell, HB 5133)
- Policing reform; acquisition of military property, handling and use of tear gas or other gases and kinetic impact munitions, training for law-enforcement officers in de-escalation techniques, compulsory in-service training standards, guidelines and standards for psychological examinations, change in membership for the Criminal Justice Services Board, etc., report. Amending §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4; adding §§ 2.2-5515, 9.1-112.1, 15.2-1721.1, and 19.2-83.3 through 19.2-83.7. (Patron–Locke, SB 5030, CH 37)
- Uniformed law-enforcement officers; every officer who is on duty and in uniform required to wear a badge, nameplate, or other device that conspicuously displays the officer's badge or other identification number or the name of the officer, etc. Adding § 15.2-1723.2. (Patron–Carter, HB 5131)

COURTS NOT OF RECORD

- Court authority in criminal cases; prosecutorial discretion to dispose of a criminal case, deferred disposition. Amending §§ 16.1-69.48:1, 17.1-275.1, 17.1-275.2, 17.1-275.7, 19.2-265.6, 19.2-303.4, 19.2-335, and 19.2-336; adding § 19.2-298.02. (Patron–Mullin, HB 5062, CH 21)
- Marijuana; legalizes simple possession, prohibits any law-enforcement officer from lawfully searching or seizing any person, etc., solely on basis of odor of marijuana, repeals provision relating to possession being unlawful. Amending §§ 3.2-4113, 15.2-1627, 16.1-228, 16.1-260, 16.1-273, 16.1-278.9, 18.2-248.1, 18.2-250, 18.2-251.02, 18.2-251.03, 18.2-251.1 through 18.2-251.1:3, 18.2-265.1, 18.2-265.2, 18.2-265.3, 18.2-308.1:5, 19.2-188.1, 19.2-389.3, 19.2-392.2, 19.2-392.4, and 54.1-3442.8; repealing § 18.2-250.1. (Patron–Carroll Foy, HB 5141)

COURTS OF RECORD

- Court authority in criminal cases; prosecutorial discretion to dispose of a criminal case, deferred disposition. Amending §§ 16.1-69.48:1, 17.1-275.1, 17.1-275.2, 17.1-275.7, 19.2-265.6, 19.2-303.4, 19.2-335, and 19.2-336; adding § 19.2-298.02. (Patron–Mullin, HB 5062, CH 21)
- Criminal records; establishes a process for automatic expungement of records for certain convictions, disclosure of expunged records, deferred dispositions, acquittals, and for offenses that have been nolle prossed or otherwise dismissed, reports, effective dates. Amending §§ 9.1-101, 17.1-293.1, 17.1-323, 17.1-413, 17.1-502, 19.2-72, 19.2-74, 19.2-310.7, 19.2-389.3, and 19.2-390; adding §§ 19.2-392.5 through 19.2-392.14. (Patron–Herring, HB 5146)
- Judicial emergency; limitation on prosecution of felony due to lapse of time. Amending § 19.2-243. (Patron–Coyner, HB 5085)
- Police and court records; Expungement Fee Fund created, expungement of certain records. Amending §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4; adding § 17.1-205.1. (Patron–Deeds, SB 5043)

COVID-19

- COVID-19; impact of distance learning on students, Department of Health, et al., to develop criteria and information, etc. (Patron–Hodges, HB 5095)
- COVID-19 virus; Commissioner of Health shall make available to the public on a website maintained by Department of Health information about confirmed cases by week and by health district, confirmed cases by age group and by race and ethnicity, etc. (Patron–Dunnivant, SB 5090, CH 13)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment. (Patron–Runion, HB 5019; Vogel, SB 5098)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment, definitions. (Patron–Vogel, SB 5099)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment, immunities provided expire two years after expiration, etc., of all states of emergency declared by Governor related to pandemic. (Patron–Miyares, HB 5037)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment provided person has substantially complied with applicable federal, state, and local laws, etc. (Patron–Ransone, HB 5110)
- COVID-19 virus; immunity from civil claims related to transmission of or exposure to the virus, definitions. (Patron–Sullivan, HB 5074; Saslaw, SB 5067)
- COVID-19 virus; immunity from civil claims related to transmission of or exposure to the virus, sunset provision. (Patron–O’Quinn, HB 5040)
- Emergency laws; civil relief, citizens furloughed or otherwise receiving reduced wages or payments due to state of emergency declared by the Governor in response to the COVID-19 pandemic. (Patron–Price, HB 5115, CH 49)
- Emergency Services and Disaster Law; powers and duties of the Governor, prohibition on certain executive orders related to the COVID-19 pandemic. (Patron–Peake, SB 5048)
- Employers; reporting outbreaks of COVID-19. (Patron–Lewis, SB 5064)
- Executive orders; Governor urged to rescind orders declaring a public health emergency and imposing on citizens, businesses, and schools due to the COVID-19 pandemic. (Patron–LaRock, HJR 5008; Peake, SJR 5001)
- Guests of transient lodging facilities impacted by the COVID-19 pandemic; application of the Virginia Residential Landlord and Tenant Act. (Patron–Locke, SB 5089)
- Guests of transient lodging facilities impacted by the COVID-19 pandemic; suspending self-help evictions. (Patron–Jenkins, HB 5120)
- Health insurance; certain prescription drugs used for treatment of COVID-19, prior authorization prohibited. Adding § 38.2-3407.11:6. (Patron–Hodges, HB 5094)
- Hospices, certain, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability, COVID-19. Adding § 8.01-225.03. (Patron–Willett, HB 5059, CH 6; Marsden, SB 5082, CH 7)
- Hydroxychloroquine; use for COVID-19 treatment. (Patron–LaRock, HJR 5002)
- Income tax, state; credit for landlords for rent forgone due to the COVID-19 pandemic. Adding § 58.1-339.13. (Patron–Chafin, SB 5102)
- Landlord and tenant; noncompliance with rental agreement, prohibition on reporting negative credit information arising from COVID-19 pandemic against tenants or applicants for tenancy, expiration of certain provisions, penalty. Amending § 55.1-1245. (Patron–Cole, J.G., HB 5106, CH 47)
- Local land use approvals; extension of approvals to address the COVID-19 pandemic. Adding § 15.2-2209.1:1. (Patron–Lewis, SB 5106, CH 40)
- Novel coronavirus (COVID-19) pandemic; State Inspector General to investigate the Commonwealth’s response to the public health emergency. (Patron–Gilbert, HB 5124)
- Nursing home and assisted living facility residents and employees; first priority for testing for COVID-19 virus. Adding § 32.1-45.5. (Patron–Chafin, SB 5109)

COVID-19 (continued)

- Nursing homes, certified nursing facilities, and hospice facilities; during a public health emergency related to the COVID-19 virus, facilities to establish a protocol to allow in-person visitation and virtual visitation, notice to family on facility website, written or electronic communication. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Head, HB 5041, CH 10; Kiggans, SB 5042, CH 11)
- Public and private employers; employers to provide eligible employees paid quarantine leave for illness or health condition related to COVID-19, etc., employers prohibited from taking certain retaliatory actions, use of federal funds to provide quarantine benefits to providers of consumer-directed or agency-directed personal assistance services. Adding §§ 40.1-33.3 through 40.1-33.7. (Patron–Guzman, HB 5116)
- Public schools; excuses from school attendance children diagnosed with COVID-19 or children with a household member diagnosed with the virus. Amending § 22.1-254. (Patron–Dunnivant, SB 5100)
- School boards; board (as term is defined in section 22.1-1 of the Code of Virginia) required to post on its website the COVID-19 virus mitigation plan. (Patron–McClellan, SB 5083, CH 9)
- School boards; board required to post on its website the COVID-19 virus mitigation plan. (Patron–Carroll Foy, HB 5096)
- School boards; boards required to provide to each teacher or other school board employee who is employed in a public elementary or secondary school up to 14 days of paid leave, in event employee contracts COVID-19, etc. (Patron–Coyner, HB 5078)
- School boards; paid leave for teachers in local school division up to 14 days in the event the teacher has been exposed to COVID-19, etc. (Patron–Dunnivant, SB 5094)
- Student growth measurement system; Department of Education to create a system that evaluates, etc., for use in public schools during the COVID-19 pandemic. (Patron–Dunnivant, SB 5091)
- Tax refunds; waiver of penalties and interest, providing refunds to taxpayers suffering a job loss, business closure, etc., as a result of an emergency declaration in response to the COVID-19 pandemic. (Patron–Cole, M.L., HB 5006)
- Vaccines and other medications; Department of Health to convene a work group to plan for equitable distribution to treat or prevent the spread of COVID-19, report. (Patron–Sickles, HB 5122)
- Virginia Residential Landlord and Tenant Act; temporary applicability to certain occupants of hotels, motels, extended stay facilities, or boardinghouses during and immediately after the COVID-19 pandemic. (Patron–Jenkins, HB 5119)
- Voluntary Protection Program; an employer that hires a crew of 50 or more temporary employees during any declared public health emergency due to COVID-19 is required to participate in the Program for the duration of the public health emergency. Amending § 40.1-49.13. (Patron–Hurst, HB 5102)
- Workers' compensation; establishes a presumption that COVID-19 causing death, etc., of any salaried or volunteer firefighter, member of State Police Officers' Retirement System, etc., is an occupational disease. Amending § 65.2-402.1. (Patron–Kiggans, SB 5022)
- Workers' compensation; establishes a presumption that COVID-19 causing death or disability of firefighters, emergency medical services personnel, law-enforcement officers, etc., as an occupational disease. Amending § 65.2-402.1. (Patron–Saslaw, SB 5066; Vogel, SB 5097; Deeds, SB 5104)
- Workers' compensation; establishes a presumption that COVID-19 causing the death or disability of firefighters, emergency medical services personnel, school board employees, etc., is an occupational disease. Amending § 65.2-402.1. (Patron–Jones, HB 5028)

CRIMES AND OFFENSES GENERALLY

- Abusive language to another; clarifies that the crime applies to persons cursing or abusing law-enforcement officers or emergency personnel who are performing their assigned duties. Amending § 18.2-416. (Patron–Reeves, SB 5061)
- Assault and battery; eliminates the mandatory minimum term of confinement if committed against a judge, magistrate, law-enforcement officer, firefighter, etc., prosecution. Amending § 18.2-57; adding § 19.2-9.2. (Patron–Surovell, SB 5032)
- Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony. Amending § 18.2-57. (Patron–Norment, SB 5010; Reeves, SB 5019)

CRIMES AND OFFENSES GENERALLY (continued)

- Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony, necessary appropriation for periods of imprisonment. Amending § 18.2-57. (Patron–Campbell, R.R., HB 5143)
- Burning cross on property of another or public place with intent to intimidate; increases penalty. Amending § 18.2-423. (Patron–Reeves, SB 5053)
- Displaying noose on property of another or a highway or other public place with intent to intimidate; increases penalty. Amending § 18.2-423.2. (Patron–Reeves, SB 5054)
- Emergency medical services and equipment at the site of a riot or unlawful assembly; Class 6 felony for any person to damage the operation of any equipment or apparatus, etc. Amending §§ 18.2-151.1 and 18.2-414.1. (Patron–DeSteph, SB 5074)
- Firearm sales; eliminates Class 1 misdemeanor penalty for a person who purchases a firearm from another person without obtaining the required criminal history record information check. Amending §§ 18.2-308.2:2 and 18.2-308.2:5. (Patron–Davis, HB 5024)
- Hate crimes; falsely summoning or giving false reports to law-enforcement officials, increases penalty. Amending § 18.2-461. (Patron–Askew, HB 5098, CH 22)
- Injury to property or persons by persons unlawfully or riotously assembled; penalty. Amending § 18.2-414. (Patron–Reeves, SB 5059)
- Intentional injury to property or a monument or memorial; reduces penalty. Amending § 18.2-137. (Patron–Carter, HB 5138)
- Law-enforcement officers; prohibition on the use of neck restraints, Class 1 misdemeanor. Adding § 18.2-51.8. (Patron–Morrissey, SB 5049)
- Law-enforcement or correctional officer; increases penalty if any person intentionally projects beam or a point of light from a laser, etc., while knowing or having reason to know such person is an officer. Amending § 18.2-57.01. (Patron–Robinson, HB 5139)
- Mandatory minimum punishment; punishments shall not apply to any sentence imposed for an offense committed on or after January 1, 2021. Adding § 18.2-12.2. (Patron–Edwards, SB 5046)
- Marijuana; legalizes simple possession, prohibits any law-enforcement officer from lawfully searching or seizing any person, etc., solely on basis of odor of marijuana, repeals provision relating to possession being unlawful. Amending §§ 3.2-411.3, 15.2-1627, 16.1-228, 16.1-260, 16.1-273, 16.1-278.9, 18.2-248.1, 18.2-250, 18.2-251.02, 18.2-251.03, 18.2-251.1 through 18.2-251.1:3, 18.2-265.1, 18.2-265.2, 18.2-265.3, 18.2-308.1:5, 19.2-188.1, 19.2-389.3, 19.2-392.2, 19.2-392.4, and 54.1-3442.8; repealing § 18.2-250.1. (Patron–Carroll Foy, HB 5141)
- Marijuana; possession, violations by an adult shall be prepayable. Amending § 18.2-250.1. (Patron–Stuart, SB 5013, CH 3)
- Marijuana and certain traffic offenses; no law-enforcement officer may lawfully stop, search, or seize any person, place, etc., solely on basis of odor of marijuana, issuance of citations, etc. Amending §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300. (Patron–Hope, HB 5058, CH 45; Lucas, SB 5029, CH 51)
- Obstructing emergency medical services agency personnel in performance of mission; increases penalty. Amending § 18.2-414.1. (Patron–Avoli, HB 5132)
- Obstructing emergency services personnel in performance of mission; increases penalty. Amending § 18.2-414.1. (Patron–Reeves, SB 5060)
- Person in custody of a law-enforcement officer, inmate, parolee, probationer, juvenile detainee, or pretrial defendant or posttrial offender; carnal knowledge of a person detained or arrested, adds private, local, or state law-enforcement agency to list, penalty. Amending § 18.2-64.2. (Patron–Delaney, HB 5045, CH 26)
- Person's identity; use with the intent to coerce, intimidate, or harass, public officials, penalty. Amending § 18.2-186.4. (Patron–McGuire, HB 5067)
- Picketing or disrupting tranquility of home; increases penalty. Amending § 18.2-419. (Patron–Reeves, SB 5062)
- Placing swastika on certain property with intent to intimidate; increases penalty. Amending § 18.2-423.1. (Patron–Reeves, SB 5055)

CRIMES AND OFFENSES GENERALLY (continued)

- Police and court records; person allowed to petition for expungement of records relating to such person's conviction for misdemeanors and certain felonies if he has been granted a simple pardon for the crime. Amending §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4. (Patron–Norment, SB 5006)
- Projecting laser at another person unlawful; penalties. Amending § 18.2-57.01. (Patron–Webert, HB 5080)
- Remaining at place of riot or unlawful assembly after warning to disperse; increases penalty. Amending § 18.2-407. (Patron–Reeves, SB 5058)
- Riots; person is guilty of a Class 6 felony if commits an act of violence during a riot, etc. Amending § 18.2-405. (Patron–Reeves, SB 5056)
- Sex Offender and Crimes Against Minors Registry; expands the Supplement to the Registry to include information on persons who were convicted of certain sexual offenses on or after July 1, 1970, and before July 1, 1994. Amending § 9.1-923. (Patron–Brewer, HB 5089)
- Unlawful assembly; acts of violence, penalty. Amending § 18.2-406. (Patron–Reeves, SB 5057)

CRIMINAL HISTORY INFORMATION

- Firearm sales; eliminates Class 1 misdemeanor penalty for a person who purchases a firearm from another person without obtaining the required criminal history record information check. Amending §§ 18.2-308.2:2 and 18.2-308.2:5. (Patron–Davis, HB 5024)

CRIMINAL JUSTICE SERVICES

- Civilian deaths in custody; every law-enforcement agency and correctional facility to report to the Department of Criminal Justice Services certain information regarding the death of any person who is detained, under arrest or in the process of being arrested, etc., report. Adding § 9.1-193. (Patron–Price, HB 5081)
- Criminal Justice Services Board and Committee on Training; increases number of members and responsibilities. Amending §§ 9.1-108 and 9.1-112. (Patron–Guzman, HB 5108, CH 28)
- Criminal Justice Services, Department of; creation of statewide telephone hotline for complaints of police misconduct. Amending § 9.1-102. (Patron–Miyares, HB 5032)
- Criminal Justice Services, Department of; de-escalation techniques and practices for law-enforcement personnel, compulsory minimum training standards for certification and recertification of law-enforcement officers. Amending § 9.1-102. (Patron–Wampler, HB 5128)
- Criminal Justice Services, Department of; powers and duties of Director, law-enforcement training standards, repeals provision relating to Committee on Training. Amending § 9.1-107; repealing § 9.1-112. (Patron–Price, HB 5063)
- Criminal justice training academies; adds to the powers and duties of Department of Criminal Justice Services regarding oversight and evaluation of academies, report. Amending § 9.1-102. (Patron–Norment, SB 5005)
- Criminal Justice Services Board; changes membership of the Committee on Training. Amending § 9.1-112. (Patron–Favola, SB 5037)
- Crisis intervention team program; annual report by Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services. Amending §§ 9.1-187 and 9.1-190. (Patron–Kory, HB 5060)
- Crisis intervention teams; Department of Criminal Justice Services to include in criteria for development of teams a requirement that each team include at least two individuals who are bilingual and multilingual. Amending § 9.1-187. (Patron–Kory, HB 5127)
- Law-enforcement agencies; acquisition and use of military property, Department of Criminal Justice Services to establish training standards, etc., and update policies for law-enforcement personnel in handling and use of tear gas or other gases and kinetic impact munitions, etc., establish and administer a waiver process for agencies to use certain military property, etc., prohibited practices for law-enforcement officers during an arrest or detention, penalties. Amending §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3; adding §§ 2.2-5515, 15.2-1721.1, 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron–Helmer, HB 5049, CH 55)
- Law-enforcement officer training and qualifications; Department of Criminal Justice Services required to develop a uniform curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards, etc., criminal justice training

CRIMINAL JUSTICE SERVICES (continued)

- academies, hiring agency or jail may require a candidate for employment to undergo a psychological examination. Amending §§ 9.1-102 and 15.2-1705; adding § 9.1-112.1. (Patron–Hope, HB 5109, CH 48)
- Law-enforcement officer training and qualifications; Department of Criminal Justice Services required to develop uniform curriculum and lesson plans, effective date. Amending §§ 9.1-102 and 15.2-1705; adding § 9.1-112.1. (Patron–Price, HB 5066)
- Law-enforcement officers; Criminal Justice Services Board to adopt statewide professional standards of conduct applicable to all officers, notification of misconduct. Amending §§ 9.1-102 and 15.2-1707. (Patron–Avoli, HB 5136)
- Law-enforcement officers; officers to complete crisis intervention training as part of the compulsory minimum training standards subsequent to employment, Department of Criminal Justice Services to update policies for personnel in awareness of systemic and individual racism, bias-based profiling, etc. Amending §§ 9.1-102 and 9.1-188. (Patron–Edwards, SB 5014, CH 36)
- Law-enforcement officers and jail officers, certified; sheriff, chief of police, or agency administrator shall notify the Criminal Justice Services Board in writing within 48 hours if any officer is terminated or resigns for engaging in serious misconduct, etc., report. Amending §§ 9.1-102 and 15.2-1707. (Patron–Simon, HB 5051, CH 27)
- Mental health awareness response and community understanding services (Marcus) alert system; Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services shall support development and establishment in localities and areas throughout the Commonwealth. Amending § 9.1-102; adding §§ 9.1-193 through 9.1-196. (Patron–McClellan, SB 5084)
- Mental health crises; Department of Criminal Justice Services to advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement agencies cooperation, with development and implementation of the mental health awareness response and community understanding services (Marcus) alert system, definitions, protocol and training for law-enforcement participation in Marcus alert system, response to mental health crises, comprehensive crisis system, report. Amending § 9.1-102; adding §§ 9.1-193 and 37.2-311.1. (Patron–Bourne, HB 5043, CH 41; McPike, SB 5038, CH 42)
- Mobile crisis co-response team programs; Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services shall support the development and establishment of a mental health first response and alert system that uses programs in areas throughout the Commonwealth, program protocol and assessment, report. Amending § 9.1-102; adding §§ 9.1-187.1, 9.1-188.1, 9.1-189.1, and 9.1-190.1. (Patron–Kory, HB 5086)
- Policing reform; acquisition of military property, handling and use of tear gas or other gases and kinetic impact munitions, training for law-enforcement officers in de-escalation techniques, compulsory in-service training standards, guidelines and standards for psychological examinations, change in membership for the Criminal Justice Services Board, etc., report. Amending §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4; adding §§ 2.2-5515, 9.1-112.1, 15.2-1721.1, and 19.2-83.3 through 19.2-83.7. (Patron–Locke, SB 5030, CH 37)

CRIMINAL PROCEDURE

- Alcohol and marijuana-related offenses; person allowed to petition for expungement of convictions and deferred disposition dismissals when the offense occurred prior to the person's twenty-first birthday, etc. Amending §§ 19.2-389.3, 19.2-392.2, and 19.2-392.4. (Patron–McDougle, SB 5110)
- Alcohol-related offenses; expungement of certain offenses when occurred prior to person's twenty-first birthday, etc. Amending § 19.2-392.2. (Patron–Peake, SB 5009)
- Assault and battery; eliminates the mandatory minimum term of confinement if committed against a judge, magistrate, law-enforcement officer, firefighter, etc., prosecution. Amending § 18.2-57; adding § 19.2-9.2. (Patron–Surovell, SB 5032)
- Court authority in criminal cases; prosecutorial discretion to dispose of a criminal case, deferred disposition. Amending §§ 16.1-69.48:1, 17.1-275.1, 17.1-275.2, 17.1-275.7, 19.2-265.6, 19.2-303.4, 19.2-335, and 19.2-336; adding § 19.2-298.02. (Patron–Mullin, HB 5062, CH 21)

CRIMINAL PROCEDURE (continued)

- Court authority in criminal cases; prosecutorial discretion to dispose of a criminal case, effect of dismissal of charges, deferred disposition. Amending § 19.2-265.6; adding § 19.2-298.02. (Patron–Surovell, SB 5033, CH 20)
- Criminal cases; sentencing, jury trial. Amending §§ 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3. (Patron–Cole, J.G., HB 5084)
- Criminal cases; sentencing reform, procedure for trial by jury, ascertainment of punishment, etc., effective date. Amending §§ 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3. (Patron–Morrissey, SB 5007, CH 43)
- Criminal records; establishes a process for automatic expungement of records for certain convictions, disclosure of expunged records, deferred dispositions, acquittals, and for offenses that have been nolle prossed or otherwise dismissed, reports, effective dates. Amending §§ 9.1-101, 17.1-293.1, 17.1-323, 17.1-413, 17.1-502, 19.2-72, 19.2-74, 19.2-310.7, 19.2-389.3, and 19.2-390; adding §§ 19.2-392.5 through 19.2-392.14. (Patron–Herring, HB 5146)
- Fines and costs, certain; payment agreements, temporary suspension on accrual of interest, etc., sunset provision. (Patron–Bourne, HB 5014)
- Judicial emergency; limitation on prosecution of felony due to lapse of time. Amending § 19.2-243. (Patron–Coyner, HB 5085)
- Law-enforcement agencies; acquisition and use of military property, Department of Criminal Justice Services to establish training standards, etc., and update policies for law-enforcement personnel in handling and use of tear gas or other gases and kinetic impact munitions, etc., establish and administer a waiver process for agencies to use certain military property, etc., prohibited practices for law-enforcement officers during an arrest or detention, penalties. Amending §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3; adding §§ 2.2-5515, 15.2-1721.1, 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron–Helmer, HB 5049, CH 55)
- Law-enforcement officer; conduct during arrest or detention, failure to intervene in an unlawful use of excessive force, penalties. Adding §§ 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron–McQuinn, HB 5029, CH 25)
- Law-enforcement officer conduct during an arrest or detention; use of force, prohibited practices. Adding §§ 19.2-83.3 and 19.2-83.4. (Patron–Aird, HB 5114)
- Law-enforcement officers; definition, prohibition on the use of neck restraints, exception, penalties. Adding §§ 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron–Carroll Foy, HB 5069, CH 35)
- Law-enforcement officers; prohibition on the use of neck restraints. Adding § 19.2-80.3. (Patron–Norment, SB 5002)
- Marijuana; legalizes simple possession, prohibits any law-enforcement officer from lawfully searching or seizing any person, etc., solely on basis of odor of marijuana, repeals provision relating to possession being unlawful. Amending §§ 3.2-4113, 15.2-1627, 16.1-228, 16.1-260, 16.1-273, 16.1-278.9, 18.2-248.1, 18.2-250, 18.2-251.02, 18.2-251.03, 18.2-251.1 through 18.2-251.1:3, 18.2-265.1, 18.2-265.2, 18.2-265.3, 18.2-308.1:5, 19.2-188.1, 19.2-389.3, 19.2-392.2, 19.2-392.4, and 54.1-3442.8; repealing § 18.2-250.1. (Patron–Carroll Foy, HB 5141)
- Police and court records; Expungement Fee Fund created, expungement of certain records. Amending §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4; adding § 17.1-205.1. (Patron–Deeds, SB 5043)
- Police and court records; person allowed to petition for expungement of records relating to such person's conviction for misdemeanors and certain felonies if he has been granted a simple pardon for the crime. Amending §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4. (Patron–Norment, SB 5006)
- Police reform; acquisition of military property, handling and use of tear gas or other gases and kinetic impact munitions, training for law-enforcement officers in de-escalation techniques, compulsory in-service training standards, guidelines and standards for psychological examinations, change in membership for the Criminal Justice Services Board, etc., report. Amending §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4; adding §§ 2.2-5515, 9.1-112.1, 15.2-1721.1, and 19.2-83.3 through 19.2-83.7. (Patron–Locke, SB 5030, CH 37)

CRIMINAL PROCEDURE (continued)

Search warrants; law-enforcement officer shall be recognizable and identifiable as a uniformed officer and provide audible notice of his authority, etc. Amending § 19.2-56. (Patron–Aird, HB 5099, CH 31)

Trial before a judge; allows a personal appearance required or permitted at or after trial to be made using two-way electronic video and audio communication. Amending § 19.2-3.1. (Patron–Campbell, R.R., HB 5147)

DAWKINS, NOLAN

Dawkins, Nolan; commending. (Patron–Ebbin, SR 502)

DAY-CARE CENTERS AND PROGRAMS

Child care tax credit; establishes an individual nonrefundable income tax credit for taxable year 2020 of up to \$1,000 for eligible expenses incurred, etc. Adding § 58.1-339.13. (Patron–Miyares, HB 5033)

DEEDS, R. CREIGH

Addressed Senate in memory of former Delegate Bernard S. Cohen; requested adjournment in memory 624
 Statements on votes:
 S.B. 5015, Item 4-14 #2s 381
 H.B. 5005, Item 4-14 #1c 753
 H.B. 5005, Item 4-14 #2s 602

DESTEPH, WILLIAM R., JR.

Addressed Senate in memory of the victims of the September 11, 2001, terrorist attack; requested adjournment in memory 106
 Leave of absence 125, 139
 Notified Clerk of presence 64
 Statement on vote:
 H.B. 5115 794

DISABLED AMERICAN VETERANS

Disabled American Veterans; commemorating its 100th anniversary. (Patron–Reeves, SR 520)

DISASTER

Declaration of disaster; health care providers, immunity from civil liability. Amending §§ 8.01-225.01 and 8.01-225.02. (Patron–Head, HB 5073)
 Emergency Services and Disaster Law; executive orders declared during state of emergency shall not have any effect beyond 30 days after date of issuance, unless General Assembly grants the Governor additional authority to extend such an order, civil penalty. Amending § 44-146.17. (Patron–Cole, M.L., HB 5007)
 Emergency Services and Disaster Law; executive orders or order of Board or Commissioner of Health, communicable diseases of public health threat, limitation on scope. Amending §§ 32.1-13, 32.1-20, 32.1-42, and 44-146.17. (Patron–Cole, M.L., HB 5025)
 Emergency Services and Disaster Law; limits duration of executive orders issued by Governor to no more than 30 days from date of issuance. Amending § 44-146.17. (Patron–Newman, SB 5001)
 Emergency Services and Disaster Law; limits duration of executive orders issued by Governor to no more than 30 days from date of issuance, unless General Assembly takes action on order, Governor shall thereafter be prohibited from issuing the same order, etc. Amending § 44-146.17. (Patron–McDougle, SB 5111)
 Emergency Services and Disaster Law; limits duration of executive orders issued by Governor to no more than 45 days from date of issuance. Amending § 44-146.17. (Patron–Suetterlein, SB 5008)
 Emergency Services and Disaster Law; limits duration of executive orders issued by the Governor to no more than 45 days, if General Assembly does not take any action on order, etc., Governor may once again issue same order, etc. Amending § 44-146.17. (Patron–O’Quinn, HB 5039)
 Emergency Services and Disaster Law; limits the duration of any order issued by the Governor to no more than 60 days from the date of issuance. Amending § 44-146.17. (Patron–Adams, L.R., HB 5010)

DISASTER (continued)

- Emergency Services and Disaster Law; neither Board of Health nor Commissioner of Health shall make any emergency orders and regulations, exceptions. Amending §§ 32.1-13, 32.1-20, 32.1-42, and 44-146.17. (Patron–LaRock, HB 5075)
- Emergency Services and Disaster Law; powers and duties of Governor, purchase of personal protective equipment (PPE) during a disaster caused by a communicable disease of public health threat, clarification of definition of “PPE,” awarding contracts, purchasing PPE for private, nongovernmental entities. Amending §§ 2.2-4343 and 44-146.17. (Patron–Helmer, HB 5050, CH 38; Marsden, SB 5039, CH 17)
- Emergency Services and Disaster Law; powers and duties of the Governor, executive orders, penalty, sunset provision. Amending § 44-146.17. (Patron–Watts, HB 5093, CH 14; Deeds, SB 5117, CH 15)
- Emergency Services and Disaster Law; powers and duties of the Governor, prohibition on certain executive orders related to the COVID-19 pandemic. (Patron–Peake, SB 5048)
- Health care providers; certain immunity during disaster caused by communicable disease when public health threat has been declared, certain liability protection. Amending §§ 8.01-225.01, 8.01-225.02, and 44-146.16. (Patron–Norment, SB 5023)
- Virginia Post-Disaster Anti-Price Gouging Act; prohibits any manufacturer or distributor from selling necessary goods or services at an unconscionable price during a declared state of emergency, exception. Amending §§ 59.1-526 and 59.1-527. (Patron–Murphy, HB 5047, CH 16)

DOCUMENTS

- SD 1 The State of the Commonwealth Address to the Joint Assembly 2020 Governor Ralph S. Northam
- SD 2 List of Pardons, Commutations, Reprieves and Other Forms of Clemency - January 12, 2019 to January 10, 2020
- SD 3 Virginia Marine Resources Commission Response to Senate Joint Resolution 309 (2019)
- SD 4 Information Sharing Process Between Jails and Community Service Boards Pursuant to SB1644 (2019), (Chapter 685, 2019)
- SD 5 Virginia Department of Transportation - A Study of the Feasibility of Purchasing All or Part of the Dulles Greenway (SJR 254, 2019)
- SD 6 Executive Summary of 2019 Interim Activity of the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century (SJR 47, 2014)
- SD 7 Court of Appeals Jurisdiction Study (SJR 47, 2020)
- SD 8 Revision of Titles 45.1 and 67 of the Code of Virginia
- SD 9 The Desirability and Feasibility for Installing Emergency Key Boxes on State-Owned Structures (Chapter 1180, 2020)
- HD 1 Budget Bill
- HD 2 The Dispensing of Drugs and Devices Pursuant to Pharmacy Collaborative Practice Agreements, Standing Orders, and Statewide Protocols (HJR 662, 2019)
- HD 3 The Virginia Plan for Higher Education - Annual Report for 2019 (HJR 555, 2015)
- HD 4 Report of the Virginia Freedom of Information Advisory Council - December 2019
- HD 5 Report on Virginia’s Industrial Hemp Program Fees (Chapter 654, 2019)
- HD 6 Interstate 95 Interim Corridor Improvement Plan (HJR 581, 2019)
- HD 7 HB 2332 Data Access and Privacy (Chapter 399, 2019)
- HD 8 Report on a Process for Adding Nurse Practitioners to the Practitioner Profile (Chapter 776, 2018)
- HD 9 Electric Vehicle Incentive Working Group Feasibility Report (Chapter 973, 2020)
- HD 10 Report of the 2020 Charitable Gaming Prize Amount Work Group (Chapter 980, 2020)
- HD 11 Impact on the Commonwealth of Legalizing the Sale and Personal Use of Marijuana (Chapter 1285, 2020)
- HD 12 Report on State-Facilitated Private Retirement Plan Programs: Encouraging Citizens to Save for Retirement (Chapter 506, 2020)
- HD 13 A Study on Virginia’s Drinking Water Infrastructure and Oversight of the Drinking Water Program (HJR 92, 2020)

DOMESTIC RELATIONS

Marriage; persons who may celebrate rites, authorizes current members of the General Assembly. Amending § 20-25. (Patron–Cosgrove, SB 5121)

DRIVERS' LICENSES

Driver’s licenses; discretionary requirement to conduct a formal, appropriate ceremony when issuing to persons under the age of 18. Amending § 46.2-336. (Patron–Brewer, HB 5004)

DUNNAVANT, SIOBHAN S.

Leave of absence. 71, 75, 408
 Notified Clerk of presence 55, 84
 Prayer offered 761

EBBIN, ADAM P.

Prayer offered 123

EDUCATION

COVID-19; impact of distance learning on students, Department of Health, et al., to develop criteria and information, etc. (Patron–Hodges, HB 5095)

Elementary and secondary schools, public or private; prohibits Governor from issuing any rule, regulation, or order pursuant to his powers under the Emergency Services and Disaster Law affecting the operation of any school in the Commonwealth, etc. Amending §§ 32.1-13 and 44-146.17. (Patron–Newman, SB 5028)

Executive orders; Governor urged to rescind orders declaring a public health emergency and imposing on citizens, businesses, and schools due to the COVID-19 pandemic. (Patron–LaRock, HJR 5008; Peake, SJR 5001)

Income tax, state; tax credit for pandemic-related education expenses. Adding § 58.1-339.13. (Patron–McGuire, HB 5129)

Private school employees and volunteers; essential workers, personal protective equipment during certain declared states of emergency. Adding § 22.1-271.9. (Patron–Dunnavant, SB 5101)

Public education; student education accounts. Adding § 22.1-89.5. (Patron–Freitas, HB 5056)

Public education; voucher program, policies and procedures, etc. Adding §§ 22.1-124.1 through 22.1-124.6. (Patron–Chase, SB 5020)

Public elementary and secondary schools, certain; alternative supervision. Adding § 22.1-199.8. (Patron–Davis, HB 5022)

Public schools; declared state of emergency, average daily membership. Adding § 22.1-97.1. (Patron–Ruff, SB 5069)

Public schools; excuses from school attendance children diagnosed with COVID-19 or children with a household member diagnosed with the virus. Amending § 22.1-254. (Patron–Dunnavant, SB 5100)

Public schools; mandatory virtual learning, provision of required technology and Internet service. Amending § 22.1-212.1. (Patron–Chase, SB 5021)

School boards; boards required to provide to each teacher or other school board employee who is employed in a public elementary or secondary school up to 14 days of paid leave, in event employee contracts COVID-19, etc. (Patron–Coyner, HB 5078)

School boards; boards to provide in-person instruction for certain students, student home Internet access, sunset provision. Amending § 22.1-79. (Patron–Cole, M.L., HB 5009)

School boards; each board to make available in-person instruction to each enrolled student when any residential area in the local school division is not capable of receiving Internet access at certain download and upload speeds. Amending § 22.1-79. (Patron–McDougle, SB 5114)

School boards; if any board does not provide the option of in-person instruction as sole method of instruction for any student, parent who withdraws student from attendance, upon request, to receive an education voucher, etc. Adding § 22.1-98.3. (Patron–Webert, HB 5011)

School boards, certain; student meals, participation in the Community Eligibility Provision, waivers issued by the Superintendent of Public Instruction to schools. Adding § 22.1-207.4:1. (Patron–Roem, HB 5113, CH 2)

School closure; education vouchers, funding for home instruction, etc. Adding § 22.1-98.3. (Patron–Cole, M.L., HB 5008)

EDUCATION (continued)

- School nurses; local school boards shall employ at least one full-time equivalent registered nurse position in each elementary school, middle school, and high school in local school division. Amending §§ 22.1-253.13:2 and 22.1-274. (Patron–Kiggans, SB 5004)
- School Quality Profiles; Department of Education required to include on each Profile data on teachers' race and proficiency in any language other than English. (Patron–Subramanyam, HB 5107)
- School resource officers; duties, prohibited from enforcing school board student discipline policies. Amending § 9.1-101. (Patron–Kory, HB 5126)
- School security officers and school resource officers; compulsory minimum training standards, working with students with disabilities. Amending § 9.1-102. (Patron–Kory, HB 5061)
- Student growth measurement system; Department of Education to create a system that evaluates, etc., for use in public schools during the COVID-19 pandemic. (Patron–Dunnivant, SB 5091)
- Student safety drills and student health screenings; school boards to waiver drills and screenings. (Patron–Peake, SB 5068)
- Teachers; online courses, student privacy training. Adding § 22.1-298.7. (Patron–Kory, HB 5123)
- Virtual Virginia; community college dual enrollment courses. Amending § 22.1-212.2. (Patron–Dunnivant, SB 5093)

EDWARDS, BRUCE WINSTON

- Edwards, Bruce Winston; recording sorrow upon death. (Patron–DeSteph, SR 539)

ELECTIONS

- Absentee voting; unsolicited absentee ballot applications. Adding § 24.2-714. (Patron–Batten, HB 5079)
- Elections, Department of; appropriations to be used to provide prepaid postage for return of absentee ballots for November 3, 2020, election, mailed absentee ballots shall be returned by mail to general registrar's office, in person to general registrar, to a drop-off location, etc. Amending Chapter 1289, 2020 Acts. (Patron–Sickles, HB 5103; Howell, SB 5120, CH 1)
- Federal elections scheduled for November 3, 2020; Congress of the United States urged to not delay or postpone. (Patron–Carroll Foy, HJR 5009)
- Political campaign advertisements; referendum committees to make certain disclosures. Amending §§ 24.2-945.1, 24.2-955, 24.2-955.1, 24.2-955.2, 24.2-957.2, and 24.2-958.2. (Patron–Miyares, HB 5038)

ELECTRIC COMPANIES

- Electric utility regulation; triennial review proceeding, emergency investigations, administration of earnings. Amending § 56-585.1. (Patron–Jones, HB 5088; Bell, SB 5085)

ELECTRONIC PROCESSES

- General Assembly; establishes a joint committee for the purpose of determining rules to govern the conduct of business by electronic means, report. (Patron–Fariss, HB 5145)
- Nursing homes, certified nursing facilities, and hospice facilities; during a public health emergency related to the COVID-19 virus, facilities to establish a protocol to allow in-person visitation and virtual visitation, notice to family on facility website, written or electronic communication. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Head, HB 5041, CH 10; Kiggans, SB 5042, CH 11)

ELEMENTARY SCHOOLS

- Elementary and secondary schools, public or private; prohibits Governor from issuing any rule, regulation, or order pursuant to his powers under the Emergency Services and Disaster Law affecting the operation of any school in the Commonwealth, etc. Amending §§ 32.1-13 and 44-146.17. (Patron–Newman, SB 5028)
- Public elementary and secondary schools, certain; alternative supervision. Adding § 22.1-199.8. (Patron–Davis, HB 5022)
- School nurses; local school boards shall employ at least one full-time equivalent registered nurse position in each elementary school, middle school, and high school in local school division. Amending §§ 22.1-253.13:2 and 22.1-274. (Patron–Kiggans, SB 5004)

EMERGENCY LEGISLATION

- Alcoholic beverage control; local special events license, limitations on events during public health emergency. Amending §§ 4.1-206 and 4.1-206.3. (Patron–McPike, SB 5036, CH 34)
- Child care providers; personal protective equipment during certain declared states of emergency for essential workers, Adding § 63.2-1714.1. (Patron–Dunnavant, SB 5096)
- Concealed handgun permits; demonstration of competence, changes effective date. Amending second enactment of Chapters 390 and 1130, 2020 Acts. (Patron–Stuart, SB 5041)
- COVID-19; impact of distance learning on students, Department of Health, et al., to develop criteria and information, etc. (Patron–Hodges, HB 5095)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment. (Patron–Runion, HB 5019; Vogel, SB 5098)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment, definitions. (Patron–Vogel, SB 5099)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment, immunities provided expire two years after expiration, etc., of all states of emergency declared by Governor related to pandemic. (Patron–Miyares, HB 5037)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment provided person has substantially complied with applicable federal, state, and local laws, etc. (Patron–Ransone, HB 5110)
- COVID-19 virus; immunity from civil claims related to transmission of or exposure to the virus, definitions. (Patron–Sullivan, HB 5074; Saslaw, SB 5067)
- COVID-19 virus; immunity from civil claims related to transmission of or exposure to the virus, sunset provision. (Patron–O’Quinn, HB 5040)
- Emergency Housing Stability Protection Act; creates provisions that can be activated by the Governor by executive order pursuant to a declared state of emergency, etc. Adding §§ 55.1-3100 and 55.1-3101. (Patron–Bell, SB 5086)
- Emergency laws; civil relief, citizens furloughed or otherwise receiving reduced wages or payments due to state of emergency declared by the Governor in response to the COVID-19 pandemic. (Patron–Price, HB 5115, CH 49)
- Emergency relief payments; automatic exemption from creditor process, definition, financial institutions receiving such payments directly from federal government, etc. Amending § 8.01-512.4; adding § 34-28.3. (Patron–Ayala, HB 5068, CH 39)
- Fines and costs, certain; payment agreements, temporary suspension on accrual of interest, etc., sunset provision. (Patron–Bourne, HB 5014)
- Guests of transient lodging facilities impacted by the COVID-19 pandemic; application of the Virginia Residential Landlord and Tenant Act. (Patron–Locke, SB 5089)
- Guests of transient lodging facilities impacted by the COVID-19 pandemic; suspending self-help evictions. (Patron–Jenkins, HB 5120)
- Hospices, certain, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability, COVID-19. Adding § 8.01-225.03. (Patron–Willett, HB 5059, CH 6; Marsden, SB 5082, CH 7)
- Nursing homes, certified nursing facilities, and hospice facilities; during a public health emergency related to the COVID-19 virus, facilities to establish a protocol to allow in-person visitation and virtual visitation, notice to family on facility website, written or electronic communication. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Head, HB 5041, CH 10; Kiggans, SB 5042, CH 11)
- Nursing homes, certified nursing facility, and hospice facility; patient visitation, notice to family on facility website or written communication. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Byron, HB 5121)
- Outbreaks of communicable disease of public health threat; posting of information about cases, “reporting entity.” Adding § 32.1-37.01. (Patron–Sickles, HB 5048, CH 12; Barker, SB 5081, CH 24)
- Private school employees and volunteers; essential workers, personal protective equipment during certain declared states of emergency. Adding § 22.1-271.9. (Patron–Dunnavant, SB 5101)
- Public education; student education accounts. Adding § 22.1-89.5. (Patron–Freitas, HB 5056)

EMERGENCY LEGISLATION (continued)

- Public education; voucher program, policies and procedures, etc. Adding §§ 22.1-124.1 through 22.1-124.6. (Patron–Chase, SB 5020)
- Public health emergency; reports of suspected violations of orders and regulations, penalty. Adding § 32.1-48.001. (Patron–Webert, HB 5018)
- Public schools; mandatory virtual learning, provision of required technology and Internet service. Amending § 22.1-212.1. (Patron–Chase, SB 5021)
- Rapid diagnostic testing; availability to all essential workers. Adding § 32.1-42.2. (Patron–Robinson, HB 5105; Dunnivant, SB 5095)
- Rapid diagnostic testing; availability to all essential workers, definitions. Adding § 32.1-42.2. (Patron–Dunnivant, SB 5095; Robinson, HB 5105)
- School boards; board (as term is defined in section 22.1-1 of the Code of Virginia) required to post on its website the COVID-19 virus mitigation plan. (Patron–McClellan, SB 5083, CH 9)
- School boards; board required to post on its website the COVID-19 virus mitigation plan. (Patron–Carroll Foy, HB 5096)
- School boards; boards to provide in-person instruction for certain students, student home Internet access, sunset provision. Amending § 22.1-79. (Patron–Cole, M.L., HB 5009)
- School boards; each board to make available in-person instruction to each enrolled student when any residential area in the local school division is not capable of receiving Internet access at certain download and upload speeds. Amending § 22.1-79. (Patron–McDougle, SB 5114)
- School boards; if any board does not provide the option of in-person instruction as sole method of instruction for any student, parent who withdraws student from attendance, upon request, to receive an education voucher, etc. Adding § 22.1-98.3. (Patron–Webert, HB 5011)
- School boards; paid leave for teachers in local school division up to 14 days in the event the teacher has been exposed to COVID-19, etc. (Patron–Dunnivant, SB 5094)
- School closure; education vouchers, funding for home instruction, etc. Adding § 22.1-98.3. (Patron–Cole, M.L., HB 5008)
- School security officers and school resource officers; compulsory minimum training standards, working with students with disabilities. Amending § 9.1-102. (Patron–Kory, HB 5061)
- Student growth measurement system; Department of Education to create a system that evaluates, etc., for use in public schools during the COVID-19 pandemic. (Patron–Dunnivant, SB 5091)
- Student safety drills and student health screenings; school boards to waiver drills and screenings. (Patron–Peake, SB 5068)
- Teachers; online courses, student privacy training. Adding § 22.1-298.7. (Patron–Kory, HB 5123)
- Telemedicine services; Board of Medical Assistance Services to amend state plan for medical assistance services to provide for payment of assistance for medically necessary health care services provided through telemedicine services, regardless of originating site, definition, etc. Amending §§ 32.1-325, 38.2-3418.16, and 38.2-4319. (Patron–Adams, D.M., HB 5046, CH 44; Barker, SB 5080, CH 53)
- Trial before a judge; allows a personal appearance required or permitted at or after trial to be made using two-way electronic video and audio communication. Amending § 19.2-3.1. (Patron–Campbell, R.R., HB 5147)
- Unemployment compensation; extends the date by which the Virginia Employment Commission is required to establish and implement a short-time compensation program by January 1, 2022, repeals provisions that established a program that provides employers with option of reducing hours worked by employees, etc. Amending § 60.2-712; repealing third and fourth enactments of Chapter 1261, 2020 Acts. (Patron–Tran, HB 5087, CH 8)
- Unemployment compensation; extends the date by which the Virginia Employment Commission is required to establish and implement a short-time compensation program not later than January 1, 2022, repeals provisions that established a program that provides employers with option of reducing hours worked by employees, etc. Amending § 60.2-712; repealing third and fourth enactments of Chapter 1261, 2020 Acts. (Patron–McPike, SB 5107)
- Vaccines and other medications; Department of Health to convene a work group to plan for equitable distribution to treat or prevent the spread of COVID-19, report. (Patron–Sickles, HB 5122)
- Virginia Residential Landlord and Tenant Act; landlord remedies, noncompliance with rental agreement, payment plan, sunset provision. Amending § 55.1-1245. (Patron–Price, HB 5064, CH 46; Ebbin, SB 5088, CH 54)

EMERGENCY LEGISLATION (continued)

Virtual Virginia; community college dual enrollment courses. Amending § 22.1-212.2. (Patron–Dunnavant, SB 5093)

EMERGENCY SERVICES AND VEHICLES

Abusive language to another; clarifies that the crime applies to persons cursing or abusing law-enforcement officers or emergency personnel who are performing their assigned duties. Amending § 18.2-416. (Patron–Reeves, SB 5061)

Emergency medical services and equipment at the site of a riot or unlawful assembly; Class 6 felony for any person to damage the operation of any equipment or apparatus, etc. Amending §§ 18.2-151.1 and 18.2-414.1. (Patron–DeSteph, SB 5074)

Obstructing emergency medical services agency personnel in performance of mission; increases penalty. Amending § 18.2-414.1. (Patron–Avoli, HB 5132)

Obstructing emergency services personnel in performance of mission; increases penalty. Amending § 18.2-414.1. (Patron–Reeves, SB 5060)

Workers' compensation; establishes a presumption that COVID-19 causing death or disability of firefighters, emergency medical services personnel, law-enforcement officers, etc., as an occupational disease. Amending § 65.2-402.1. (Patron–Saslaw, SB 5066; Vogel, SB 5097; Deeds, SB 5104)

Workers' compensation; establishes a presumption that COVID-19 causing the death or disability of firefighters, emergency medical services personnel, school board employees, etc., is an occupational disease. Amending § 65.2-402.1. (Patron–Jones, HB 5028)

ETHNIC GROUPS

COVID-19 virus; Commissioner of Health shall make available to the public on a website maintained by Department of Health information about confirmed cases by week and by health district, confirmed cases by age group and by race and ethnicity, etc. (Patron–Dunnavant, SB 5090, CH 13)

FAIRFAX, JUSTIN E., LIEUTENANT GOVERNOR OF VIRGINIA AND PRESIDENT OF THE SENATE**Tie Votes:**

S.B. 5015, Item 313 #16s	352-53
S.B. 5015, Item 313 #17s	354-55
H.B. 5005, Governor's recommendation No. 8	786
H.B. 5099	379

FIREARMS

Concealed handgun permit; local control of firearms. Amending § 15.2-915. (Patron–Davis, HB 5020; Chafin, SB 5108)

Firearm sales; eliminates Class 1 misdemeanor penalty for a person who purchases a firearm from another person without obtaining the required criminal history record information check. Amending §§ 18.2-308.2:2 and 18.2-308.2:5. (Patron–Davis, HB 5024)

Law-enforcement officers; required release of video or audio recording, discharge of firearm or use of stun gun or chemical irritant, exceptions to such release. Adding § 9.1-601. (Patron–Rasoul, HB 5091)

FIREFIGHTERS AND FIRE MARSHALS

Assault and battery; eliminates the mandatory minimum term of confinement if committed against a judge, magistrate, law-enforcement officer, firefighter, etc., prosecution. Amending § 18.2-57; adding § 19.2-9.2. (Patron–Surovell, SB 5032)

Workers' compensation; establishes a presumption that COVID-19 causing death, etc., of any salaried or volunteer firefighter, member of State Police Officers' Retirement System, etc., is an occupational disease. Amending § 65.2-402.1. (Patron–Kiggans, SB 5022)

Workers' compensation; establishes a presumption that COVID-19 causing death or disability of firefighters, emergency medical services personnel, law-enforcement officers, etc., as an occupational disease. Amending § 65.2-402.1. (Patron–Saslaw, SB 5066; Vogel, SB 5097; Deeds, SB 5104)

FIREFIGHTERS AND FIRE MARSHALS (continued)

Workers' compensation; establishes a presumption that COVID-19 causing the death or disability of firefighters, emergency medical services personnel, school board employees, etc., is an occupational disease. Amending § 65.2-402.1. (Patron–Jones, HB 5028)

FLAGS AND SEALS

United States flag; prohibition on removal on any private personal property, etc. Adding § 2.2-3606. (Patron–Davis, HB 5031)

FOUST, HOWARD H., JR.

Foust, Howard H., Jr.; recording sorrow upon death. (Patron–Lucas, SR 535)

FREEDOM OF INFORMATION

Virginia Freedom of Information Act; individual votes of members of the Virginia Parole Board shall be public records and subject to provisions of the Act. Amending § 2.2-3703. (Patron–Rush, HB 5092; Suetterlein, SB 5012)

Virginia Freedom of Information Act; law-enforcement criminal incident information, definitions, criminal investigative files. Amending § 2.2-3706. (Patron–Hurst, HB 5090)

GARBER, JOHN MANLEY

Garber, John Manley; recording sorrow upon death. (Patron–McPike, SR 562)

GARDNER, RICKY

Gardner, Ricky; commending. (Patron–Newman, SR 511)

GAS COMPANIES

Emergency Debt Repayment Plan; every utility providing electric, gas, or water or wastewater service to develop a Plan for residential customers. (Patron–Aird, HB 5117)

GENERAL ASSEMBLY

Capitol Square Preservation Council; powers and duties, review and approval of plans for changes to artifacts contained within the Capitol Building. Amending § 30-194. (Patron–Norment, SB 5047)

Civil Rights and Policing, Commission on; established, membership, report, sunset provision. Adding §§ 30-391 through 30-397. (Patron–Stuart, SB 5003)

Constitutional amendment; Governor required to convene a special session whenever declaring a state of emergency for a period that exceeds 90 days, etc. (first reference). Amending Section 6 of Article IV. (Patron–Webert, HJR 5003)

Constitutional amendment; limits the authority of the Governor to issue an executive order, etc., state of emergency, required to convene a special session for purpose of General Assembly to approve extension of such order (first reference). Amending Section 6 of Article IV; adding Section 7-A in Article V. (Patron–Wilt, HJR 5001)

Emergency Services and Disaster Law; executive orders declared during state of emergency shall not have any effect beyond 30 days after date of issuance, unless General Assembly grants the Governor additional authority to extend such an order, civil penalty. Amending § 44-146.17. (Patron–Cole, M.L., HB 5007)

Emergency Services and Disaster Law; limits duration of executive orders issued by Governor to no more than 30 days from date of issuance, unless General Assembly takes action on order, Governor shall thereafter be prohibited from issuing the same order, etc. Amending § 44-146.17. (Patron–McDougle, SB 5111)

Emergency Services and Disaster Law; limits duration of executive orders issued by the Governor to no more than 45 days, if General Assembly does not take any action on order, etc., Governor may once again issue same order, etc. Amending § 44-146.17. (Patron–O'Quinn, HB 5039)

General Assembly; establishes a joint committee for the purpose of determining rules to govern the conduct of business by electronic means, report. (Patron–Fariss, HB 5145)

General Assembly; limiting legislation to be considered by 2020 Special Session I and establishing a schedule for the conduct of business coming before such Session. (Patron–Herring, HJR 5006)

Marriage; persons who may celebrate rites, authorizes current members of the General Assembly. Amending § 20-25. (Patron–Cosgrove, SB 5121)

GENERAL ASSEMBLY (continued)

- Senate of Virginia; establishes a provision to recess during 2020 Special Session I of the General Assembly. (Patron–Locke, SR 552)
- United States Constitution; General Assembly to make application to Congress to call a convention of the states to propose amendments that impose fiscal restraints on the federal government, etc. (Patron–Campbell, R.R., HJR 5013)
- Virginia Criminal Sentencing Commission and Department of Planning and Budget, et al.; effective provision, pilot programs, required to prepare fiscal impact statements. Amending § 30-19.1:4. (Patron–Surovell, SB 5045)

GLENN, GERALD O.

- Glenn, Gerald O.; recording sorrow upon death. (Patron–Morrissey, SR 534)

GOVERNOR

- Constitutional amendment; Governor required to convene a special session whenever declaring a state of emergency for a period that exceeds 90 days, etc. (first reference). Amending Section 6 of Article IV. (Patron–Webert, HJR 5003)
- Constitutional amendment; limitations on Governor’s executive power related to states of emergency (first reference). Adding Section 7-A in Article V. (Patron–Freitas, HJR 5005)
- Constitutional amendment; limits the authority of the Governor to issue an executive order, etc., state of emergency, required to convene a special session for purpose of General Assembly to approve extension of such order (first reference). Amending Section 6 of Article IV; adding Section 7-A in Article V. (Patron–Wilt, HJR 5001)
- Elementary and secondary schools, public or private; prohibits Governor from issuing any rule, regulation, or order pursuant to his powers under the Emergency Services and Disaster Law affecting the operation of any school in the Commonwealth, etc. Amending §§ 32.1-13 and 44-146.17. (Patron–Newman, SB 5028)
- Emergency Housing Stability Protection Act; creates provisions that can be activated by the Governor by executive order pursuant to a declared state of emergency, etc. Adding §§ 55.1-3100 and 55.1-3101. (Patron–Bell, SB 5086)
- Emergency laws; civil relief, citizens furloughed or otherwise receiving reduced wages or payments due to state of emergency declared by the Governor in response to the COVID-19 pandemic. (Patron–Price, HB 5115, CH 49)
- Emergency laws; limits powers and duties of Governor. Amending § 44-146.17. (Patron–Stanley, SB 5077)
- Emergency Services and Disaster Law; executive orders declared during state of emergency shall not have any effect beyond 30 days after date of issuance, unless General Assembly grants the Governor additional authority to extend such an order, civil penalty. Amending § 44-146.17. (Patron–Cole, M.L., HB 5007)
- Emergency Services and Disaster Law; limits duration of executive orders issued by Governor to no more than 30 days from date of issuance. Amending § 44-146.17. (Patron–Newman, SB 5001)
- Emergency Services and Disaster Law; limits duration of executive orders issued by Governor to no more than 30 days from date of issuance, unless General Assembly takes action on order, Governor shall thereafter be prohibited from issuing the same order, etc. Amending § 44-146.17. (Patron–McDougle, SB 5111)
- Emergency Services and Disaster Law; limits duration of executive orders issued by Governor to no more than 45 days from date of issuance. Amending § 44-146.17. (Patron–Suetterlein, SB 5008)
- Emergency Services and Disaster Law; limits duration of executive orders issued by the Governor to no more than 45 days, if General Assembly does not take any action on order, etc., Governor may once again issue same order, etc. Amending § 44-146.17. (Patron–O’Quinn, HB 5039)
- Emergency Services and Disaster Law; limits the duration of any order issued by the Governor to no more than 60 days from the date of issuance. Amending § 44-146.17. (Patron–Adams, L.R., HB 5010)
- Emergency Services and Disaster Law; powers and duties of Governor, purchase of personal protective equipment (PPE) during a disaster caused by a communicable disease of public health threat, clarification of definition of “PPE,” awarding contracts, purchasing PPE for private, nongovernmental entities. Amending §§ 2.2-4343 and 44-146.17. (Patron–Helmer, HB 5050, CH 38; Marsden, SB 5039, CH 17)

GOVERNOR (continued)

- Emergency Services and Disaster Law; powers and duties of the Governor, executive orders, penalty, sunset provision. Amending § 44-146.17. (Patron–Watts, HB 5093, CH 14; Deeds, SB 5117, CH 15)
- Emergency Services and Disaster Law; powers and duties of the Governor, prohibition on certain executive orders related to the COVID-19 pandemic. (Patron–Peake, SB 5048)
- Executive orders; Governor urged to rescind orders declaring a public health emergency and imposing on citizens, businesses, and schools due to the COVID-19 pandemic. (Patron–LaRock, HJR 5008; Peake, SJR 5001)

HAGER, JOHN HENRY

- Hager, John Henry; recording sorrow upon death. (Patron–Norment, SR 532)

HAIRFIELD, MYRI LEWIS

- Hairfield, Myri Lewis; recording sorrow upon death. (Patron–Norment, SR 561)

HAIRSTON, JOE LOUIS

- Hairston, Joe Louis; recording sorrow upon death. (Patron–Stanley, SR 507)

HANDGUNS

- Concealed handgun permit; local control of firearms. Amending § 15.2-915. (Patron–Davis, HB 5020; Chafin, SB 5108)
- Concealed handgun permits; demonstration of competence, changes effective date. Amending second enactment of Chapters 390 and 1130, 2020 Acts. (Patron–Stuart, SB 5041)

HANGER, EMMETT W., JR.

- Prayer offered 64
- Statements on votes:
 - S.B. 5015, Item 299 381
 - S.B. 5015, Item 301 381
 - S.B. 5015, Item 302 381
 - H.B. 5005, Item 299 602, 754
 - H.B. 5005, Item 301 602, 754
 - H.B. 5005, Item 302 602, 754

HASHMI, GHAZALA F.

- Prayer offered 55

HATE CRIMES

- Hate crimes; falsely summoning or giving false reports to law-enforcement officials, increases penalty. Amending § 18.2-461. (Patron–Askew, HB 5098, CH 22)

HEALTH

- COVID-19; impact of distance learning on students, Department of Health, et al., to develop criteria and information, etc. (Patron–Hodges, HB 5095)
- COVID-19 virus; Commissioner of Health shall make available to the public on a website maintained by Department of Health information about confirmed cases by week and by health district, confirmed cases by age group and by race and ethnicity, etc. (Patron–Dunnavant, SB 5090, CH 13)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment. (Patron–Runion, HB 5019; Vogel, SB 5098)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment, definitions. (Patron–Vogel, SB 5099)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment, immunities provided expire two years after expiration, etc., of all states of emergency declared by Governor related to pandemic. (Patron–Miyares, HB 5037)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment provided person has substantially complied with applicable federal, state, and local laws, etc. (Patron–Ransone, HB 5110)

HEALTH (continued)

- COVID-19 virus; immunity from civil claims related to transmission of or exposure to the virus, definitions. (Patron–Sullivan, HB 5074; Saslaw, SB 5067)
- COVID-19 virus; immunity from civil claims related to transmission of or exposure to the virus, sunset provision. (Patron–O’Quinn, HB 5040)
- Declaration of disaster; health care providers, immunity from civil liability. Amending §§ 8.01-225.01 and 8.01-225.02. (Patron–Head, HB 5073)
- Elementary and secondary schools, public or private; prohibits Governor from issuing any rule, regulation, or order pursuant to his powers under the Emergency Services and Disaster Law affecting the operation of any school in the Commonwealth, etc. Amending §§ 32.1-13 and 44-146.17. (Patron–Newman, SB 5028)
- Emergency orders and regulations; any order or regulation by the Board of Health shall be valid for no more than 30 days and that such order may be extended, etc. Amending §§ 32.1-13, 32.1-20, and 35.1-10. (Patron–Newman, SB 5025)
- Emergency Services and Disaster Law; executive orders or order of Board or Commissioner of Health, communicable diseases of public health threat, limitation on scope. Amending §§ 32.1-13, 32.1-20, 32.1-42, and 44-146.17. (Patron–Cole, M.L., HB 5025)
- Emergency Services and Disaster Law; neither Board of Health nor Commissioner of Health shall make any emergency orders and regulations, exceptions. Amending §§ 32.1-13, 32.1-20, 32.1-42, and 44-146.17. (Patron–LaRock, HB 5075)
- Emergency Services and Disaster Law; powers and duties of Governor, purchase of personal protective equipment (PPE) during a disaster caused by a communicable disease of public health threat, clarification of definition of “PPE,” awarding contracts, purchasing PPE for private, nongovernmental entities. Amending §§ 2.2-4343 and 44-146.17. (Patron–Helmer, HB 5050, CH 38; Marsden, SB 5039, CH 17)
- Employers; reporting outbreaks of COVID-19. (Patron–Lewis, SB 5064)
- Health, Board and Commissioner of; appeal of an order, award to person who operates a business. Adding § 32.1-29.1. (Patron–Davis, HB 5027)
- Health care coverage; Department of Medical Assistance Services, et al., to contract with health carriers to offer qualified health plans on the health benefit exchange beginning January 1, 2022. Adding § 32.1-329.1. (Patron–Samirah, HB 5083)
- Health care providers; certain immunity during disaster caused by communicable disease when public health threat has been declared, certain liability protection. Amending §§ 8.01-225.01, 8.01-225.02, and 44-146.16. (Patron–Norment, SB 5023)
- Health care providers, certain; licensure or certification by endorsement. Amending §§ 32.1-111.5, 54.1-2927, 54.1-2951.1, and 54.1-2957. (Patron–Freitas, HB 5057)
- Hospitals, nursing homes, certified nursing facilities, and hospices; Board of Health to amend regulations to require such entities to adopt protocols to ensure that each patient is able to receive virtual visits during a public health emergency. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Fariss, HB 5144)
- Immunizations; authority of the Commissioner of Health, exception. Amending § 32.1-48. (Patron–Cole, M.L., HB 5016)
- In-home consumer-directed services; electronic visit verification, exception. Adding § 32.1-331.04. (Patron–McDougle, SB 5116)
- Long-term care facilities; during a declared public health emergency related to a communicable disease of public health threat, every hospital, nursing home, etc., shall allow visits from a patient’s or resident’s family members when patient has been diagnosed with a terminal condition or illness and the patient’s death is expected to be imminent. Amending §§ 32.1-127, 32.1-162.5, and 63.2-1732. (Patron–Robinson, HB 5140)
- Novel coronavirus (COVID-19) pandemic; State Inspector General to investigate the Commonwealth’s response to the public health emergency. (Patron–Gilbert, HB 5124)
- Nursing home and assisted living facility residents and employees; first priority for testing for COVID-19 virus. Adding § 32.1-45.5. (Patron–Chafin, SB 5109)
- Nursing homes; outbreaks of communicable disease, posting of information. Amending § 32.1-41; adding § 32.1-37.01. (Patron–Suetterlein, SB 5105)
- Nursing homes; publication of information about certain communicable diseases. Amending §§ 32.1-23 and 32.1-41. (Patron–Newman, SB 5026)

HEALTH (continued)

- Nursing homes, certified nursing facilities, and hospice facilities; during a public health emergency related to the COVID-19 virus, facilities to establish a protocol to allow in-person visitation and virtual visitation, notice to family on facility website, written or electronic communication. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Head, HB 5041, CH 10; Kiggans, SB 5042, CH 11)
- Nursing homes, certified nursing facility, and hospice facility; patient visitation, notice to family on facility website or written communication. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Byron, HB 5121)
- Outbreaks of communicable disease of public health threat; posting of information about cases, “reporting entity.” Adding § 32.1-37.01. (Patron–Sickles, HB 5048, CH 12; Barker, SB 5081, CH 24)
- Public and private employers; employers to provide eligible employees paid quarantine leave for illness or health condition related to COVID-19, etc., employers prohibited from taking certain retaliatory actions, use of federal funds to provide quarantine benefits to providers of consumer-directed or agency-directed personal assistance services. Adding §§ 40.1-33.3 through 40.1-33.7. (Patron–Guzman, HB 5116)
- Public health emergency; any emergency order or regulation adopted by the Board of Health shall be valid for no more than 45 days and that such order may be extended by the Board, Board to provide notice and receive public comment on order or regulation, etc. Amending §§ 32.1-13, 32.1-20, 35.1-10, 40.1-22, and 44-146.17; adding § 32.1-38.1. (Patron–Byron, HB 5023)
- Public health emergency; eliminates authority of the Board of Health or Commissioner of Health to require, during an epidemic of a disease of public health importance for which a vaccine exists, that a person receive such vaccine, etc. Amending §§ 23.1-800, 32.1-46, and 32.1-48. (Patron–LaRock, HB 5070)
- Public health emergency; reports of suspected violations of orders and regulations, penalty. Adding § 32.1-48.001. (Patron–Webert, HB 5018)
- Rapid diagnostic testing; availability to all essential workers. Adding § 32.1-42.2. (Patron–Robinson, HB 5105; Dunnavant, SB 5095)
- Rapid diagnostic testing; availability to all essential workers, definitions. Adding § 32.1-42.2. (Patron–Dunnavant, SB 5095; Robinson, HB 5105)
- Telemedicine services; Board of Medical Assistance Services to amend state plan for medical assistance services to provide for payment of assistance for medically necessary health care services provided through telemedicine services, regardless of originating site, definition, etc. Amending §§ 32.1-325, 38.2-3418.16, and 38.2-4319. (Patron–Adams, D.M., HB 5046, CH 44; Barker, SB 5080, CH 53)
- Telemedicine services; Board of Medical Assistance Services to amend state plan for medical assistance services to provide for payment of assistance for medically necessary health care services provided through telemedicine services, regardless of originating site, etc. Amending §§ 32.1-325, 38.2-3418.16, and 38.2-4319. (Patron–Dunnavant, SB 5087)
- Vaccines; requirements for inclusion on list of required vaccines. Amending § 32.1-46. (Patron–LaRock, HB 5082)
- Vaccines and other medications; Department of Health to convene a work group to plan for equitable distribution to treat or prevent the spread of COVID-19, report. (Patron–Sickles, HB 5122)
- Voluntary Protection Program; an employer that hires a crew of 50 or more temporary employees during any declared public health emergency due to COVID-19 is required to participate in the Program for the duration of the public health emergency. Amending § 40.1-49.13. (Patron–Hurst, HB 5102)

HEALTH INSURANCE

- Health care coverage; Department of Medical Assistance Services, et al., to contract with health carriers to offer qualified health plans on the health benefit exchange beginning January 1, 2022. Adding § 32.1-329.1. (Patron–Samirah, HB 5083)
- Health insurance; certain prescription drugs used for treatment of COVID-19, prior authorization prohibited. Adding § 38.2-3407.11:6. (Patron–Hodges, HB 5094)

HEALTH INSURANCE (continued)

Telemedicine services; Board of Medical Assistance Services to amend state plan for medical assistance services to provide for payment of assistance for medically necessary health care services provided through telemedicine services, regardless of originating site, definition, etc. Amending §§ 32.1-325, 38.2-3418.16, and 38.2-4319. (Patron–Adams, D.M., HB 5046, CH 44; Barker, SB 5080, CH 53)

Telemedicine services; Board of Medical Assistance Services to amend state plan for medical assistance services to provide for payment of assistance for medically necessary health care services provided through telemedicine services, regardless of originating site, etc. Amending §§ 32.1-325, 38.2-3418.16, and 38.2-4319. (Patron–Dunnavant, SB 5087)

HIGH SCHOOLS

School nurses; local school boards shall employ at least one full-time equivalent registered nurse position in each elementary school, middle school, and high school in local school division. Amending §§ 22.1-253.13:2 and 22.1-274. (Patron–Kiggans, SB 5004)

HIGHWAYS AND OTHER SURFACE TRANSPORTATION SYSTEMS

Displaying noose on property of another or a highway or other public place with intent to intimidate; increases penalty. Amending § 18.2-423.2. (Patron–Reeves, SB 5054)

Personal protective equipment; adds equipment to the list of items that are prohibited from being dumped on public or private land without authorization and provides for an additional \$500 fine when the dumping involves such equipment. Amending § 33.2-802. (Patron–Hodges, HB 5149)

HILL, JIMMY C.

Hill, Jimmy C.; recording sorrow upon death. (Patron–Chafin, SR 513)

HILL, OLIVER WHITE, JR.

Hill, Oliver White, Jr.; recording sorrow upon death. (Patron–McClellan, SR 551)

HILTON ELEMENTARY SCHOOL

Hilton Elementary School; commending. (Patron–Pillion, SR 558)

HINES, PATRICIA SWECKER

Hines, Patricia Swecker; commending. (Patron–Suetterlein, SR 518)

HISTORIC AREAS, LANDMARKS, AND MONUMENTS

Intentional injury to property or a monument or memorial; reduces penalty. Amending § 18.2-137. (Patron–Carter, HB 5138)

Monuments and memorials for war veterans; changes authority of localities, repeals an existing enactment clause that excludes a monument or memorial located on property of a public institution of higher education within the City of Lexington. Amending § 15.2-1812; repealing third enactment of Chapters 1100 and 1101, 2020 Acts. (Patron–McQuinn, HB 5030)

HITE, LEONARD JACKSON

Hite, Leonard Jackson; recording sorrow upon death. (Patron–Lucas, SR 536)

HOLIDAYS, SPECIAL DAYS, ETC.

Abolition Day; designating as December 6, 2020, and each succeeding year thereafter. (Patron–Davis, HJR 5004)

Juneteenth; recognizing June 19th of each year as a legal holiday in the Commonwealth commemorating the announcement of the abolition of slavery in Texas. Amending § 2.2-3300. (Patron–Bagby, HB 5052, CH 4; Locke, SB 5031, CH 5)

Women’s Suffrage Month; designating as August 2020 and each succeeding year thereafter. (Patron–Convirs-Fowler, HJR 5011)

HOMESTEAD AND OTHER EXEMPTIONS

Emergency relief payments; automatic exemption from creditor process, definition, financial institutions receiving such payments directly from federal government, etc. Amending § 8.01-512.4; adding § 34-28.3. (Patron–Ayala, HB 5068, CH 39)

HORNSBY, LOIS SAUNIER

Hornsby, Lois Saunier; recording sorrow upon death. (Patron–Norment, SR 565)

HOSPICES

Hospices, certain, home care organizations, private providers, assisted living facilities, and adult day care centers; immunity from civil liability, COVID-19. Adding § 8.01-225.03. (Patron–Willett, HB 5059, CH 6; Marsden, SB 5082, CH 7)

Hospitals, nursing homes, certified nursing facilities, and hospices; Board of Health to amend regulations to require such entities to adopt protocols to ensure that each patient is able to receive virtual visits during a public health emergency. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Fariss, HB 5144)

Nursing homes, certified nursing facilities, and hospice facilities; during a public health emergency related to the COVID-19 virus, facilities to establish a protocol to allow in-person visitation and virtual visitation, notice to family on facility website, written or electronic communication. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Head, HB 5041, CH 10; Kiggans, SB 5042, CH 11)

Nursing homes, certified nursing facility, and hospice facility; patient visitation, notice to family on facility website or written communication. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Byron, HB 5121)

HOSPITALS AND HOSPITALIZATION

Hospitals, nursing homes, certified nursing facilities, and hospices; Board of Health to amend regulations to require such entities to adopt protocols to ensure that each patient is able to receive virtual visits during a public health emergency. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Fariss, HB 5144)

Long-term care facilities; during a declared public health emergency related to a communicable disease of public health threat, every hospital, nursing home, etc., shall allow visits from a patient's or resident's family members when patient has been diagnosed with a terminal condition or illness and the patient's death is expected to be imminent. Amending §§ 32.1-127, 32.1-162.5, and 63.2-1732. (Patron–Robinson, HB 5140)

HOTELS, RESTAURANTS, SUMMER CAMPS, AND CAMPGROUNDS

Emergency orders and regulations; any order or regulation by the Board of Health shall be valid for no more than 30 days and that such order may be extended, etc. Amending §§ 32.1-13, 32.1-20, and 35.1-10. (Patron–Newman, SB 5025)

Guests of transient lodging facilities impacted by the COVID-19 pandemic; application of the Virginia Residential Landlord and Tenant Act. (Patron–Locke, SB 5089)

Guests of transient lodging facilities impacted by the COVID-19 pandemic; suspending self-help evictions. (Patron–Jenkins, HB 5120)

Public health emergency; any emergency order or regulation adopted by the Board of Health shall be valid for no more than 45 days and that such order may be extended by the Board, Board to provide notice and receive public comment on order or regulation, etc. Amending §§ 32.1-13, 32.1-20, 35.1-10, 40.1-22, and 44-146.17; adding § 32.1-38.1. (Patron–Byron, HB 5023)

Virginia Residential Landlord and Tenant Act; temporary applicability to certain occupants of hotels, motels, extended stay facilities, or boardinghouses during and immediately after the COVID-19 pandemic. (Patron–Jenkins, HB 5119)

HOUSING

Emergency Housing Stability Protection Act; creates provisions that can be activated by the Governor by executive order pursuant to a declared state of emergency, etc. Adding §§ 55.1-3100 and 55.1-3101. (Patron–Bell, SB 5086)

Housing; extension of approvals to address crisis, extends sunset provision. Amending § 15.2-2209.1 and Chapter 660, 2017 Acts. (Patron–Deeds, SB 5044)

Virginia Residential Landlord and Tenant Act; temporary prohibition against landlord termination of rental agreements or actions to obtain possession of a dwelling unit under certain circumstances. (Patron–Hashmi, SB 5051)

HOUSING (continued)

Virginia Residential Landlord and Tenant Act; temporary prohibition against landlord termination of rental agreements or actions to obtain possession of a dwelling unit under certain circumstances, landlord has taken all necessary steps to apply for any available rental assistance that could assist with tenant's rent, etc. (Patron–Cole, J.G., HB 5111)

HUFF, DELBY

Huff, Delby; commemorating his 100th birthday. (Patron–Morrissey, SR 559)

HUMAN FOOD RVA

Human Food RVA; commending. (Patron–DeSteph, SR 524)

IMMUNIZATIONS

Immunizations; authority of the Commissioner of Health, exception. Amending § 32.1-48. (Patron–Cole, M.L., HB 5016)

Public health emergency; eliminates authority of the Board of Health or Commissioner of Health to require, during an epidemic of a disease of public health importance for which a vaccine exists, that a person receive such vaccine, etc. Amending §§ 23.1-800, 32.1-46, and 32.1-48. (Patron–LaRock, HB 5070)

Vaccines; requirements for inclusion on list of required vaccines. Amending § 32.1-46. (Patron–LaRock, HB 5082)

INCOME TAX

Child care tax credit; establishes an individual nonrefundable income tax credit for taxable year 2020 of up to \$1,000 for eligible expenses incurred, etc. Adding § 58.1-339.13. (Patron–Miyares, HB 5033)

Income tax, state; credit for landlords for rent forgone due to the COVID-19 pandemic. Adding § 58.1-339.13. (Patron–Chafin, SB 5102)

Income tax, state; credits and deductions, child and dependent care expenses. Amending § 58.1-322.03; adding § 58.1-339.13. (Patron–Coyner, HB 5077)

Income tax, state; credits and deductions for household and dependent care services. Amending § 58.1-322.03; adding § 58.1-339.13. (Patron–Dunnivant, SB 5092)

Income tax, state; subtraction for Paycheck Protection Plan loan forgiveness. Amending § 58.1-322.02. (Patron–McNamara, HB 5002)

Income tax, state; tax credit for pandemic-related education expenses. Adding § 58.1-339.13. (Patron–McGuire, HB 5129)

INMATES

Parole; Parole Board shall contact the victim prior to making any decision to release any inmate on discretionary parole, definition of the term “victim.” Amending § 53.1-155. (Patron–McGuire, HB 5100)

Parole; Parole Board shall contact the victim prior to making any decision to release any inmate on discretionary parole, etc. Amending § 53.1-155. (Patron–Miyares, HB 5015)

Person in custody of a law-enforcement officer, inmate, parolee, probationer, juvenile detainee, or pretrial defendant or posttrial offender; carnal knowledge of a person detained or arrested, adds private, local, or state law-enforcement agency to list, penalty. Amending § 18.2-64.2. (Patron–Delaney, HB 5045, CH 26)

INSTITUTIONS OF HIGHER EDUCATION; OTHER EDUCATIONAL AND CULTURAL INSTITUTIONS

Monuments and memorials for war veterans; changes authority of localities, repeals an existing enactment clause that excludes a monument or memorial located on property of a public institution of higher education within the City of Lexington. Amending § 15.2-1812; repealing third enactment of Chapters 1100 and 1101, 2020 Acts. (Patron–McQuinn, HB 5030)

Public health emergency; eliminates authority of the Board of Health or Commissioner of Health to require, during an epidemic of a disease of public health importance for which a vaccine exists, that a person receive such vaccine, etc. Amending §§ 23.1-800, 32.1-46, and 32.1-48. (Patron–LaRock, HB 5070)

Virtual Virginia; community college dual enrollment courses. Amending § 22.1-212.2. (Patron–Dunnivant, SB 5093)

INSURANCE

Health insurance; certain prescription drugs used for treatment of COVID-19, prior authorization prohibited. Adding § 38.2-3407.11:6. (Patron–Hodges, HB 5094)

INTERNET

Broadband services; appropriates to the Department of Housing and Community Development a sum sufficient to expand access to services in underserved and unserved areas of the Commonwealth. (Patron–McDougle, SB 5115)

COVID-19 virus; Commissioner of Health shall make available to the public on a website maintained by Department of Health information about confirmed cases by week and by health district, confirmed cases by age group and by race and ethnicity, etc. (Patron–Dunnivant, SB 5090, CH 13)

Public schools; mandatory virtual learning, provision of required technology and Internet service. Amending § 22.1-212.1. (Patron–Chase, SB 5021)

School boards; boards to provide in-person instruction for certain students, student home Internet access, sunset provision. Amending § 22.1-79. (Patron–Cole, M.L., HB 5009)

School boards; each board to make available in-person instruction to each enrolled student when any residential area in the local school division is not capable of receiving Internet access at certain download and upload speeds. Amending § 22.1-79. (Patron–McDougle, SB 5114)

JAILS AND PRISONS

Emergency Services and Disaster Law; immunity from liability, sheriffs' offices and regional jails. Amending § 44-146.23. (Patron–DeSteph, SB 5072)

Law-enforcement officers and jail officers, certified; sheriff, chief of police, or agency administrator shall notify the Criminal Justice Services Board in writing within 48 hours if any officer is terminated or resigns for engaging in serious misconduct, etc., report. Amending §§ 9.1-102 and 15.2-1707. (Patron–Simon, HB 5051, CH 27)

JOHNSON, GERALDINE BAILEY WILLIAMS

Johnson, Geraldine Bailey Williams; commemorating her 100th birthday. (Patron–Morrissey, SR 538)

JONES, ELAINE R.

Jones, Elaine R.; commemorating 50th anniversary of her historic graduation from University of Virginia School of Law. (Patron–McClellan, SR 548)

JUDGES, JUSTICES, AND OTHER ELECTIVE OFFICERS

Assault and battery; eliminates the mandatory minimum term of confinement if committed against a judge, magistrate, law-enforcement officer, firefighter, etc., prosecution. Amending § 18.2-57; adding § 19.2-9.2. (Patron–Surovell, SB 5032)

Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony. Amending § 18.2-57. (Patron–Norment, SB 5010; Reeves, SB 5019)

Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony, necessary appropriation for periods of imprisonment. Amending § 18.2-57. (Patron–Campbell, R.R., HB 5143)

Trial before a judge; allows a personal appearance required or permitted at or after trial to be made using two-way electronic video and audio communication. Amending § 19.2-3.1. (Patron–Campbell, R.R., HB 5147)

JUNETEENTH

Juneteenth; recognizing June 19th of each year as a legal holiday in the Commonwealth commemorating the announcement of the abolition of slavery in Texas. Amending § 2.2-3300. (Patron–Bagby, HB 5052, CH 4; Locke, SB 5031, CH 5)

JURY SERVICE AND JURORS

Criminal cases; sentencing reform, procedure for trial by jury, ascertainment of punishment, etc., effective date. Amending §§ 19.2-264.3, 19.2-288, 19.2-295, 19.2-295.1, and 19.2-295.3. (Patron–Morrissey, SB 5007, CH 43)

KIGGANS, JENNIFER A.

- Addressed the Senate in honor of International Day of Older Persons; requested adjournment in honor 364
- Leave of absence 408
- Prayer offered 45

KING, JACQUELINE KIDD

- King, Jacqueline Kidd; recording sorrow upon death. (Patron–Suetterlein, SR 543)

KOTZ, NATHAN K.

- Kotz, Nathan K.; recording sorrow upon death. (Patron–Ebbin, SR 501)

LABOR AND EMPLOYMENT

- Collective bargaining; no county, city, or town, or like governmental officer, agent, or governing body is vested with or possesses any authority to recognize any labor union or other employee association as a bargaining agent of any law-enforcement agency or its employees, etc. Amending § 40.1-57.2. (Patron–Newman, SB 5027; Stanley, SB 5078)
- Collective bargaining; prohibited considerations during negotiations. Amending § 40.1-57.2. (Patron–Davis, HB 5021)
- Collective bargaining; prohibits a county, city, or town from entering into a contract with a labor union or other employee association representing law-enforcement officers or employees of a law-enforcement agency, etc. Amending § 40.1-57.2. (Patron–LaRock, HB 5071)
- Essential workers; hazard pay, employers to provide personal protective equipment, civil penalty. Amending § 40.1-29; adding §§ 40.1-29.2 and 40.1-51.4:6. (Patron–Ayala, HB 5130)
- Public and private employers; employers to provide eligible employees paid quarantine leave for illness or health condition related to COVID-19, etc., employers prohibited from taking certain retaliatory actions, use of federal funds to provide quarantine benefits to providers of consumer-directed or agency-directed personal assistance services. Adding §§ 40.1-33.3 through 40.1-33.7. (Patron–Guzman, HB 5116)
- Public and private employers; paid sick leave to eligible employees that can be used during a pandemic. Adding §§ 40.1-27.4 and 40.1-33.3 through 40.1-33.16. (Patron–Favola, SB 5076)
- Voluntary Protection Program; an employer that hires a crew of 50 or more temporary employees during any declared public health emergency due to COVID-19 is required to participate in the Program for the duration of the public health emergency. Amending § 40.1-49.13. (Patron–Hurst, HB 5102)

LAND DEVELOPMENT AND USE

- Local land use approvals; extension of approvals to address the COVID-19 pandemic. Adding § 15.2-2209.1:1. (Patron–Lewis, SB 5106, CH 40)

LANDLORD AND TENANT

- Income tax, state; credit for landlords for rent forgone due to the COVID-19 pandemic. Adding § 58.1-339.13. (Patron–Chafin, SB 5102)
- Landlord and tenant; noncompliance with rental agreement, prohibition on reporting negative credit information arising from COVID-19 pandemic against tenants or applicants for tenancy, expiration of certain provisions, penalty. Amending § 55.1-1245. (Patron–Cole, J.G., HB 5106, CH 47)
- Virginia Residential Landlord and Tenant Act; landlord remedies, noncompliance with rental agreement, payment plan, sunset provision. Amending § 55.1-1245. (Patron–Price, HB 5064, CH 46; Ebbin, SB 5088, CH 54)
- Virginia Residential Landlord and Tenant Act; temporary prohibition against landlord termination of rental agreements or actions to obtain possession of a dwelling unit under certain circumstances. (Patron–Hashmi, SB 5051)
- Virginia Residential Landlord and Tenant Act; temporary prohibition against landlord termination of rental agreements or actions to obtain possession of a dwelling unit under certain circumstances, landlord has taken all necessary steps to apply for any available rental assistance that could assist with tenant’s rent, etc. (Patron–Cole, J.G., HB 5111)

LAW-ENFORCEMENT OFFICERS

- Abusive language to another; clarifies that the crime applies to persons cursing or abusing law-enforcement officers or emergency personnel who are performing their assigned duties. Amending § 18.2-416. (Patron-Reeves, SB 5061)
- Assault and battery; eliminates the mandatory minimum term of confinement if committed against a judge, magistrate, law-enforcement officer, firefighter, etc., prosecution. Amending § 18.2-57; adding § 19.2-9.2. (Patron-Surovell, SB 5032)
- Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony. Amending § 18.2-57. (Patron-Norment, SB 5010; Reeves, SB 5019)
- Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony, necessary appropriation for periods of imprisonment. Amending § 18.2-57. (Patron-Campbell, R.R., HB 5143)
- Attorney General; investigation and prosecution of certain offenses committed by a law-enforcement officer. Amending §§ 2.2-511, 2.2-520, and 15.2-1627; adding §§ 2.2-524.1 and 9.1-601. (Patron-Price, HB 5065)
- Attorney General; prosecution of criminal cases involving certain felonies committed by law-enforcement officers. Amending § 2.2-511. (Patron-Ebbin, SB 5040)
- Civil action for deprivation of rights; duties and liabilities of certain employers in employing or contracting for the services of law-enforcement officers. Adding §§ 8.01-42.6 and 8.01-42.7. (Patron-Bourne, HB 5013)
- Collective bargaining; prohibits a county, city, or town from entering into a contract with a labor union or other employee association representing law-enforcement officers or employees of a law-enforcement agency, etc. Amending § 40.1-57.2. (Patron-LaRock, HB 5071)
- Criminal Justice Services, Department of; de-escalation techniques and practices for law-enforcement personnel, compulsory minimum training standards for certification and recertification of law-enforcement officers. Amending § 9.1-102. (Patron-Wampler, HB 5128)
- Crisis intervention team training; appropriates a sum sufficient to provide basic and advanced training to all state and local law-enforcement officers. (Patron-McDougle, SB 5113)
- Hate crimes; falsely summoning or giving false reports to law-enforcement officials, increases penalty. Amending § 18.2-461. (Patron-Askew, HB 5098, CH 22)
- Law-enforcement agencies; acquisition and use of military property, Department of Criminal Justice Services to establish training standards, etc., and update policies for law-enforcement personnel in handling and use of tear gas or other gases and kinetic impact munitions, etc., establish and administer a waiver process for agencies to use certain military property, etc., prohibited practices for law-enforcement officers during an arrest or detention, penalties. Amending §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3; adding §§ 2.2-5515, 15.2-1721.1, 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron-Helmer, HB 5049, CH 55)
- Law-enforcement civilian oversight bodies; governing body of a locality may establish, oversight body shall reflect demographic diversity of locality, duties of oversight body, etc., effective date. Amending §§ 9.1-507 and 15.2-1507; adding § 9.1-601. (Patron-Hashmi, SB 5035, CH 30)
- Law-enforcement officer; civil action for deprivation of rights. Adding § 8.01-42.6. (Patron-Morrissey, SB 5065)
- Law-enforcement officer; conduct during arrest or detention, failure to intervene in an unlawful use of excessive force, penalties. Adding §§ 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron-McQuinn, HB 5029, CH 25)
- Law-enforcement officer; duty to render aid, duty to report wrongdoing by another law-enforcement officer, penalty. Amending § 52-30.1; adding §§ 15.2-1704.1 and 15.2-1704.2. (Patron-Levine, HB 5112)
- Law-enforcement officer conduct during an arrest or detention; use of force, prohibited practices. Adding §§ 19.2-83.3 and 19.2-83.4. (Patron-Aird, HB 5114)
- Law-enforcement officer training and qualifications; Department of Criminal Justice Services required to develop a uniform curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards, etc., criminal justice training academies, hiring agency or jail may require a candidate for employment to undergo a psychological examination. Amending §§ 9.1-102 and 15.2-1705; adding § 9.1-112.1. (Patron-Hope, HB 5109, CH 48)

LAW-ENFORCEMENT OFFICERS (continued)

- Law-enforcement officer training and qualifications; Department of Criminal Justice Services required to develop uniform curriculum and lesson plans, effective date. Amending §§ 9.1-102 and 15.2-1705; adding § 9.1-112.1. (Patron–Price, HB 5066)
- Law-enforcement officers; an officer may bring an action against any person, group of persons, organization, etc., to recover damages, together with reasonable costs and attorney fees, sustained during such officer’s performance of official duties, etc. Adding § 8.01-42.6. (Patron–Adams, L.R., HB 5012)
- Law-enforcement officers; changes minimum qualifications. Amending § 15.2-1705. (Patron–Coyner, HB 5076)
- Law-enforcement officers; Criminal Justice Services Board to adopt statewide professional standards of conduct applicable to all officers, notification of misconduct. Amending §§ 9.1-102 and 15.2-1707. (Patron–Avoli, HB 5136)
- Law-enforcement officers; decertification, acts that compromise integrity or credibility. Amending § 15.2-1707. (Patron–Reeves, SB 5063; McDougale, SB 5112)
- Law-enforcement officers; definition, prohibition on the use of neck restraints, exception, penalties. Adding §§ 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron–Carroll Foy, HB 5069, CH 35)
- Law-enforcement officers; duty to intervene and report unlawful use of force. Adding § 15.2-1723.2. (Patron–Bell, HB 5134)
- Law-enforcement officers; officers to complete crisis intervention training as part of the compulsory minimum training standards subsequent to employment, Department of Criminal Justice Services to update policies for personnel in awareness of systemic and individual racism, bias-based profiling, etc. Amending §§ 9.1-102 and 9.1-188. (Patron–Edwards, SB 5014, CH 36)
- Law-enforcement officers; prohibition on the use of neck restraints. Adding § 19.2-80.3. (Patron–Norment, SB 5002)
- Law-enforcement officers; prohibition on the use of neck restraints, Class 1 misdemeanor. Adding § 18.2-51.8. (Patron–Morrissey, SB 5049)
- Law-enforcement officers; required release of video or audio recording, discharge of firearm or use of stun gun or chemical irritant, exceptions to such release. Adding § 9.1-601. (Patron–Rasoul, HB 5091)
- Law-enforcement officers and jail officers, certified; sheriff, chief of police, or agency administrator shall notify the Criminal Justice Services Board in writing within 48 hours if any officer is terminated or resigns for engaging in serious misconduct, etc., report. Amending §§ 9.1-102 and 15.2-1707. (Patron–Simon, HB 5051, CH 27)
- Law-enforcement officers, deputy sheriff, jail officer, etc.; minimum qualifications, disclosure of information to a prospective hiring agency or jail, psychological examination. Amending §§ 9.1-102, 15.2-1705, and 15.2-1709. (Patron–Price, HB 5104, CH 32)
- Law-enforcement or correctional officer; increases penalty if any person intentionally projects beam or a point of light from a laser, etc., while knowing or having reason to know such person is an officer. Amending § 18.2-57.01. (Patron–Robinson, HB 5139)
- Marijuana; legalizes simple possession, prohibits any law-enforcement officer from lawfully searching or seizing any person, etc., solely on basis of odor of marijuana, repeals provision relating to possession being unlawful. Amending §§ 3.2-4113, 15.2-1627, 16.1-228, 16.1-260, 16.1-273, 16.1-278.9, 18.2-248.1, 18.2-250, 18.2-250.02, 18.2-251.03, 18.2-251.1 through 18.2-251.1:3, 18.2-265.1, 18.2-265.2, 18.2-265.3, 18.2-308.1:5, 19.2-188.1, 19.2-389.3, 19.2-392.2, 19.2-392.4, and 54.1-3442.8; repealing § 18.2-250.1. (Patron–Carroll Foy, HB 5141)
- Marijuana and certain traffic offenses; no law-enforcement officer may lawfully stop, search, or seize any person, place, etc., solely on basis of odor of marijuana, issuance of citations, etc. Amending §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300. (Patron–Hope, HB 5058, CH 45; Lucas, SB 5029, CH 51)
- Person in custody of a law-enforcement officer, inmate, parolee, probationer, juvenile detainee, or pretrial defendant or posttrial offender; carnal knowledge of a person detained or arrested, adds private, local, or state law-enforcement agency to list, penalty. Amending § 18.2-64.2. (Patron–Delaney, HB 5045, CH 26)

LAW-ENFORCEMENT OFFICERS (continued)

- Policing reform; acquisition of military property, handling and use of tear gas or other gases and kinetic impact munitions, training for law-enforcement officers in de-escalation techniques, compulsory in-service training standards, guidelines and standards for psychological examinations, change in membership for the Criminal Justice Services Board, etc., report. Amending §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4; adding §§ 2.2-5515, 9.1-112.1, 15.2-1721.1, and 19.2-83.3 through 19.2-83.7. (Patron-Locke, SB 5030, CH 37)
- Search warrants; law-enforcement officer shall be recognizable and identifiable as a uniformed officer and provide audible notice of his authority, etc. Amending § 19.2-56. (Patron-Aird, HB 5099, CH 31)
- Uniformed law-enforcement officers; every officer who is on duty and in uniform required to wear a badge, nameplate, or other device that conspicuously displays the officer’s badge or other identification number or the name of the officer, etc. Adding § 15.2-1723.2. (Patron-Carter, HB 5131)
- Virginia Retirement System; retired law-enforcement officers employed as school security officers. Amending § 51.1-155. (Patron-Cosgrove, SB 5071)
- Workers’ compensation; establishes a presumption that COVID-19 causing death or disability of firefighters, emergency medical services personnel, law-enforcement officers, etc., as an occupational disease. Amending § 65.2-402.1. (Patron-Saslaw, SB 5066; Vogel, SB 5097; Deeds, SB 5104)

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Chafin, A. Benton, Jr.	114, 119, 408
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LEGISLATIVE SERVICES, DIVISION OF

Legislative Services, Division of; confirming appointment of the Director. (Patron-Filler-Corn, HJR 5012)

LEIDER, ANNA

Leider, Anna; commending. (Patron-Ebbin, SR 533)

LEWIS, ANNIE ELIZA

Lewis, Annie Eliza; commemorating her 100th birthday. (Patron-McClellan, SR 550)

LEWIS, LYNWOOD W., JR.

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LEXINGTON, CITY OF

Monuments and memorials for war veterans; changes authority of localities, repeals an existing enactment clause that excludes a monument or memorial located on property of a public institution of higher education within the City of Lexington. Amending § 15.2-1812; repealing third enactment of Chapters 1100 and 1101, 2020 Acts. (Patron-McQuinn, HB 5030)

LOCKE, MAMIE E.

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 H.B. 5005, Item 303 602, 753

LONG-TERM CARE

Long-term care facilities; during a declared public health emergency related to a communicable disease of public health threat, every hospital, nursing home, etc., shall allow visits from a patient’s or resident’s family members when patient has been diagnosed with a terminal condition or illness and the patient’s death is expected to be imminent. Amending §§ 32.1-127, 32.1-162.5, and 63.2-1732. (Patron–Robinson, HB 5140)

LUCAS, L. LOUISE

President pro tempore:
 Named Senator McClellan to perform duties 31, 33, 61, 82, 106, 797
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MAGISTRATES

- Assault and battery; eliminates the mandatory minimum term of confinement if committed against a judge, magistrate, law-enforcement officer, firefighter, etc., prosecution. Amending § 18.2-57; adding § 19.2-9.2. (Patron–Surovell, SB 5032)
- Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony. Amending § 18.2-57. (Patron–Norment, SB 5010; Reeves, SB 5019)
- Assault and battery; increases penalty for committing against a judge, magistrate, law-enforcement officer, etc., to a Class 5 felony, necessary appropriation for periods of imprisonment. Amending § 18.2-57. (Patron–Campbell, R.R., HB 5143)

MANUFACTURERS

Virginia Post-Disaster Anti-Price Gouging Act; prohibits any manufacturer or distributor from selling necessary goods or services at an unconscionable price during a declared state of emergency, exception. Amending §§ 59.1-526 and 59.1-527. (Patron–Murphy, HB 5047, CH 16)

MAPES, CHRISTINA

Mapes, Christina; commending. (Patron–Kiggans, SR 563)

MARIJUANA

Alcohol and marijuana-related offenses; person allowed to petition for expungement of convictions and deferred disposition dismissals when the offense occurred prior to the person’s twenty-first birthday, etc. Amending §§ 19.2-389.3, 19.2-392.2, and 19.2-392.4. (Patron–McDougle, SB 5110)

Marijuana; legalizes simple possession, prohibits any law-enforcement officer from lawfully searching or seizing any person, etc., solely on basis of odor of marijuana, repeals provision relating to possession being unlawful. Amending §§ 3.2-4113, 15.2-1627, 16.1-228, 16.1-260, 16.1-273, 16.1-278.9, 18.2-248.1, 18.2-250, 18.2-251.02, 18.2-251.03, 18.2-251.1 through 18.2-251.1:3, 18.2-265.1, 18.2-265.2, 18.2-265.3, 18.2-308.1:5, 19.2-188.1, 19.2-389.3, 19.2-392.2, 19.2-392.4, and 54.1-3442.8; repealing § 18.2-250.1. (Patron–Carroll Foy, HB 5141)

Marijuana; possession, violations by an adult shall be prepayable. Amending § 18.2-250.1. (Patron–Stuart, SB 5013, CH 3)

Marijuana and certain traffic offenses; no law-enforcement officer may lawfully stop, search, or seize any person, place, etc., solely on basis of odor of marijuana, issuance of citations, etc. Amending §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300. (Patron–Hope, HB 5058, CH 45; Lucas, SB 5029, CH 51)

MARRIAGE

Marriage; persons who may celebrate rites, authorizes current members of the General Assembly. Amending § 20-25. (Patron–Cosgrove, SB 5121)

MARSDEN, DAVID W.

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H.B. 5005, Item 385 602, 754

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MEMORIAL RESOLUTIONS

- Alexander, Joseph; recording sorrow upon death. (Patron–Ebbin, SR 546)
Anderson, Robert Joseph; recording sorrow upon death. (Patron–Deeds, SR 531)
Artemel, Engin Mehmet; recording sorrow upon death. (Patron–Ebbin, SR 525)
Beekman, Kevin; recording sorrow upon death. (Patron–Ebbin, SR 547)
Brickley, Lori Lee; recording sorrow upon death. (Patron–McPike, SR 540)
Browning, R. Wayne, Sr.; recording sorrow upon death. (Patron–Lewis, SR 514)
Conover, John; recording sorrow upon death. (Patron–Deeds, SR 566)
Edwards, Bruce Winston; recording sorrow upon death. (Patron–DeSteph, SR 539)
Foust, Howard H., Jr.; recording sorrow upon death. (Patron–Lucas, SR 535)
Garber, John Manley; recording sorrow upon death. (Patron–McPike, SR 562)
Glenn, Gerald O.; recording sorrow upon death. (Patron–Morrissey, SR 534)
Hager, John Henry; recording sorrow upon death. (Patron–Norment, SR 532)
Hairfield, Myri Lewis; recording sorrow upon death. (Patron–Norment, SR 561)
Hairston, Joe Louis; recording sorrow upon death. (Patron–Stanley, SR 507)
Hill, Jimmy C.; recording sorrow upon death. (Patron–Chafin, SR 513)
Hill, Oliver White, Jr.; recording sorrow upon death. (Patron–McClellan, SR 551)
Hite, Leonard Jackson; recording sorrow upon death. (Patron–Lucas, SR 536)
Hornsby, Lois Saunier; recording sorrow upon death. (Patron–Norment, SR 565)
King, Jacqueline Kidd; recording sorrow upon death. (Patron–Suetterlein, SR 543)
Kotz, Nathan K.; recording sorrow upon death. (Patron–Ebbin, SR 501)
Moore, Douglas Dee; recording sorrow upon death. (Patron–Suetterlein, SR 553)
Mumajian, Michael George; recording sorrow upon death. (Patron–DeSteph, SR 523)
Nowlin, Percy Conway, III; recording sorrow upon death. (Patron–Deeds, SR 530)
Parker, David McMath; recording sorrow upon death. (Patron–Lewis, SR 515)
Parker, George Issac, Jr.; recording sorrow upon death. (Patron–Lewis, SR 504)
Paul, Bonnie Lineweaver; recording sorrow upon death. (Patron–Obenshain, SR 537)
Peake, Walter H., III; recording sorrow upon death. (Patron–Suetterlein, SR 556)
Rexrode, Jerry Austin; recording sorrow upon death. (Patron–Deeds, SR 529)
Rigney, Richard; recording sorrow upon death. (Patron–DeSteph, SR 545)
Shami, Saba Labib; recording sorrow upon death. (Patron–Ebbin, SR 567)
Smith, Darryl C., Sr.; recording sorrow upon death. (Patron–Boysko, SR 508)
Spigle, Nancy Lewey; recording sorrow upon death. (Patron–Suetterlein, SR 555)
Sze, Daniel X.; recording sorrow upon death. (Patron–Saslaw, SR 506)
Taylor, James Wesley, Sr.; recording sorrow upon death. (Patron–Locke, SR 512)
Thomas, Fitz Alexander Campbell; recording sorrow upon death. (Patron–Boysko, SR 510)
Tucker, Albert Sidney Johnston, III; recording sorrow upon death. (Patron–Suetterlein, SR 554)
Turpin, Ralph Essex, Jr.; recording sorrow upon death. (Patron–Deeds, SR 528)
Wescott, Jeff Matthew, Jr.; recording sorrow upon death. (Patron–McClellan, SR 544)
West, Richard Duane; recording sorrow upon death. (Patron–DeSteph, SR 522)
Wingate, Cody Lee; recording sorrow upon death. (Patron–Pillion, SR 557)
Woods, Charles C.; recording sorrow upon death. (Patron–Pillion, SR 560)

MIDDLE SCHOOLS

- School nurses; local school boards shall employ at least one full-time equivalent registered nurse position in each elementary school, middle school, and high school in local school division. Amending §§ 22.1-253.13:2 and 22.1-274. (Patron–Kiggans, SB 5004)

MILITARY AND EMERGENCY LAWS

- Elementary and secondary schools, public or private; prohibits Governor from issuing any rule, regulation, or order pursuant to his powers under the Emergency Services and Disaster Law affecting the operation of any school in the Commonwealth, etc. Amending §§ 32.1-13 and 44-146.17. (Patron–Newman, SB 5028)

MILITARY AND EMERGENCY LAWS (continued)

- Emergency laws; civil relief, citizens furloughed or otherwise receiving reduced wages or payments due to state of emergency declared by the Governor in response to the COVID-19 pandemic. (Patron–Price, HB 5115, CH 49)
- Emergency laws; limits powers and duties of Governor. Amending § 44-146.17. (Patron–Stanley, SB 5077)
- Emergency Services and Disaster Law; executive orders declared during state of emergency shall not have any effect beyond 30 days after date of issuance, unless General Assembly grants the Governor additional authority to extend such an order, civil penalty. Amending § 44-146.17. (Patron–Cole, M.L., HB 5007)
- Emergency Services and Disaster Law; executive orders or order of Board or Commissioner of Health, communicable diseases of public health threat, limitation on scope. Amending §§ 32.1-13, 32.1-20, 32.1-42, and 44-146.17. (Patron–Cole, M.L., HB 5025)
- Emergency Services and Disaster Law; immunity from liability, sheriffs’ offices and regional jails. Amending § 44-146.23. (Patron–DeSteph, SB 5072)
- Emergency Services and Disaster Law; limits duration of executive orders issued by Governor to no more than 30 days from date of issuance. Amending § 44-146.17. (Patron–Newman, SB 5001)
- Emergency Services and Disaster Law; limits duration of executive orders issued by Governor to no more than 30 days from date of issuance, unless General Assembly takes action on order, Governor shall thereafter be prohibited from issuing the same order, etc. Amending § 44-146.17. (Patron–McDougle, SB 5111)
- Emergency Services and Disaster Law; limits duration of executive orders issued by Governor to no more than 45 days from date of issuance. Amending § 44-146.17. (Patron–Suetterlein, SB 5008)
- Emergency Services and Disaster Law; limits duration of executive orders issued by the Governor to no more than 45 days, if General Assembly does not take any action on order, etc., Governor may once again issue same order, etc. Amending § 44-146.17. (Patron–O’Quinn, HB 5039)
- Emergency Services and Disaster Law; limits the duration of any order issued by the Governor to no more than 60 days from the date of issuance. Amending § 44-146.17. (Patron–Adams, L.R., HB 5010)
- Emergency Services and Disaster Law; neither Board of Health nor Commissioner of Health shall make any emergency orders and regulations, exceptions. Amending §§ 32.1-13, 32.1-20, 32.1-42, and 44-146.17. (Patron–LaRock, HB 5075)
- Emergency Services and Disaster Law; powers and duties of Governor, purchase of personal protective equipment (PPE) during a disaster caused by a communicable disease of public health threat, clarification of definition of “PPE,” awarding contracts, purchasing PPE for private, nongovernmental entities. Amending §§ 2.2-4343 and 44-146.17. (Patron–Helmer, HB 5050, CH 38; Marsden, SB 5039, CH 17)
- Emergency Services and Disaster Law; powers and duties of the Governor, executive orders, penalty, sunset provision. Amending § 44-146.17. (Patron–Watts, HB 5093, CH 14; Deeds, SB 5117, CH 15)
- Health care providers; certain immunity during disaster caused by communicable disease when public health threat has been declared, certain liability protection. Amending §§ 8.01-225.01, 8.01-225.02, and 44-146.16. (Patron–Norment, SB 5023)
- Public health emergency; any emergency order or regulation adopted by the Board of Health shall be valid for no more than 45 days and that such order may be extended by the Board, Board to provide notice and receive public comment on order or regulation, etc. Amending §§ 32.1-13, 32.1-20, 35.1-10, 40.1-22, and 44-146.17; adding § 32.1-38.1. (Patron–Byron, HB 5023)

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- Sex Offender and Crimes Against Minors Registry; expands the Supplement to the Registry to include information on persons who were convicted of certain sexual offenses on or after July 1, 1970, and before July 1, 1994. Amending § 9.1-923. (Patron–Brewer, HB 5089)

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- Firearm sales; eliminates Class 1 misdemeanor penalty for a person who purchases a firearm from another person without obtaining the required criminal history record information check. Amending §§ 18.2-308.2:2 and 18.2-308.2:5. (Patron–Davis, HB 5024)

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Motor vehicle safety inspection program; abolishing state program, etc. Amending §§ 16.1-69.48:1, 17.1-275.7, 22.1-289.031, 46.2-325, 46.2-602, 46.2-602.1, 46.2-602.3, 46.2-602.4, 46.2-694.1, 46.2-730, 46.2-730.1, 46.2-1000, 46.2-1005.1, 46.2-1025, 46.2-1043, 46.2-1048, 46.2-1053, 46.2-1065, 46.2-1072.1, 46.2-1092, 46.2-1150, 46.2-1176, 46.2-1190.2, 46.2-1213, 46.2-1531, 46.2-1539, 46.2-1539.1, 46.2-1600, 46.2-1605, 46.2-2099.50, and 63.2-1716; adding §§ 46.2-1001.2, 46.2-1005.2, 46.2-1060.1, and 46.2-2000.4; repealing §§ 46.2-1157 through 46.2-1175.1 and 46.2-1540. (Patron–Suetterlein, SB 5011)

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Driver’s licenses; discretionary requirement to conduct a formal, appropriate ceremony when issuing to persons under the age of 18. Amending § 46.2-336. (Patron–Brewer, HB 5004)

Marijuana and certain traffic offenses; no law-enforcement officer may lawfully stop, search, or seize any person, place, etc., solely on basis of odor of marijuana, issuance of citations, etc. Amending §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300. (Patron–Hope, HB 5058, CH 45; Lucas, SB 5029, CH 51)

Motor vehicle safety inspection program; abolishing state program, etc. Amending §§ 16.1-69.48:1, 17.1-275.7, 22.1-289.031, 46.2-325, 46.2-602, 46.2-602.1, 46.2-602.3, 46.2-602.4, 46.2-694.1, 46.2-730, 46.2-730.1, 46.2-1000, 46.2-1005.1, 46.2-1025, 46.2-1043, 46.2-1048, 46.2-1053, 46.2-1065, 46.2-1072.1, 46.2-1092, 46.2-1150, 46.2-1176, 46.2-1190.2, 46.2-1213, 46.2-1531, 46.2-1539, 46.2-1539.1, 46.2-1600, 46.2-1605, 46.2-2099.50, and 63.2-1716; adding §§ 46.2-1001.2, 46.2-1005.2, 46.2-1060.1, and 46.2-2000.4; repealing §§ 46.2-1157 through 46.2-1175.1 and 46.2-1540. (Patron–Suetterlein, SB 5011)

Motor Vehicles, Department of; customer service centers required to be open and accept walk-in customers six days a week between 8:30 a.m. and 5:00 p.m. (Patron–Cole, M.L., HB 5001)

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Mumessian, Michael George; recording sorrow upon death. (Patron–DeSteph, SR 523)

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Parole; eligibility, persons convicted of murder, etc. Amending § 53.1-151. (Patron–Chafin, SB 5103)

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Hydroxychloroquine; use for COVID-19 treatment. (Patron–LaRock, HJR 5002)

Marijuana; legalizes simple possession, prohibits any law-enforcement officer from lawfully searching or seizing any person, etc., solely on basis of odor of marijuana, repeals provision relating to possession being unlawful. Amending §§ 3.2-4113, 15.2-1627, 16.1-228, 16.1-260, 16.1-273, 16.1-278.9, 18.2-248.1, 18.2-250, 18.2-251.02, 18.2-251.03, 18.2-251.1 through 18.2-251.1:3, 18.2-265.1, 18.2-265.2, 18.2-265.3, 18.2-308.1:5, 19.2-188.1, 19.2-389.3, 19.2-392.2, 19.2-392.4, and 54.1-3442.8; repealing § 18.2-250.1. (Patron–Carroll Foy, HB 5141)

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- Marijuana; possession, violations by an adult shall be prepayable. Amending § 18.2-250.1. (Patron–Stuart, SB 5013, CH 3)
- Marijuana and certain traffic offenses; no law-enforcement officer may lawfully stop, search, or seize any person, place, etc., solely on basis of odor of marijuana, issuance of citations, etc. Amending §§ 15.2-919, 18.2-250.1, 46.2-334.01, 46.2-335, 46.2-646, 46.2-810.1, 46.2-923, 46.2-926, 46.2-1003, 46.2-1013, 46.2-1014, 46.2-1014.1, 46.2-1030, 46.2-1049, 46.2-1052, 46.2-1054, 46.2-1094, 46.2-1157, and 46.2-1300. (Patron–Hope, HB 5058, CH 45; Lucas, SB 5029, CH 51)
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- Nowlin, Percy Conway, III; recording sorrow upon death. (Patron–Deeds, SR 530)

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- Nurse practitioners; practice without a practice agreement. Amending § 54.1-2957. (Patron–Kiggans, SB 5070)
- School nurses; local school boards shall employ at least one full-time equivalent registered nurse position in each elementary school, middle school, and high school in local school division. Amending §§ 22.1-253.13:2 and 22.1-274. (Patron–Kiggans, SB 5004)

NURSING HOMES

- Hospitals, nursing homes, certified nursing facilities, and hospices; Board of Health to amend regulations to require such entities to adopt protocols to ensure that each patient is able to receive virtual visits during a public health emergency. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Fariss, HB 5144)
- Long-term care facilities; during a declared public health emergency related to a communicable disease of public health threat, every hospital, nursing home, etc., shall allow visits from a patient’s or resident’s family members when patient has been diagnosed with a terminal condition or illness and the patient’s death is expected to be imminent. Amending §§ 32.1-127, 32.1-162.5, and 63.2-1732. (Patron–Robinson, HB 5140)
- Nursing home and assisted living facility residents and employees; first priority for testing for COVID-19 virus. Adding § 32.1-45.5. (Patron–Chafin, SB 5109)
- Nursing homes; outbreaks of communicable disease, posting of information. Amending § 32.1-41; adding § 32.1-37.01. (Patron–Suetterlein, SB 5105)
- Nursing homes; publication of information about certain communicable diseases. Amending §§ 32.1-23 and 32.1-41. (Patron–Newman, SB 5026)
- Nursing homes, certified nursing facilities, and hospice facilities; during a public health emergency related to the COVID-19 virus, facilities to establish a protocol to allow in-person visitation and virtual visitation, notice to family on facility website, written or electronic communication. Amending §§ 32.1-127 and 32.1-162.5. (Patron–Head, HB 5041, CH 10; Kiggans, SB 5042, CH 11)

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Parole; Department of Corrections shall release a prisoner no sooner than 21 business days after the date of notification by the Virginia Parole Board to the appropriate attorney for the Commonwealth of the decision to grant parole, etc. Amending §§ 53.1-136 and 53.1-155. (Patron–Obenshain, SB 5050)

Parole; eligibility, persons convicted of murder, etc. Amending § 53.1-151. (Patron–Chafin, SB 5103)

Parole; monthly report issued by the Virginia Parole Board regarding actions taken on the parole of prisoners required to include the offenses of which prisoners considered for parole were convicted, etc. Amending § 53.1-136. (Patron–McGuire, HB 5101)

Parole; Parole Board shall contact the victim prior to making any decision to release any inmate on discretionary parole, definition of the term “victim.” Amending § 53.1-155. (Patron–McGuire, HB 5100)

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Parole statutes; application of statutes for juveniles and persons committed upon felony offenses committed on or after January 1, 1995. Amending § 53.1-165.1. (Patron–Edwards, SB 5016)

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Attorney General; prosecution of criminal cases involving certain felonies committed by law-enforcement officers. Amending § 2.2-511. (Patron–Ebbin, SB 5040)

Civil action for deprivation of rights; duties and liabilities of certain employers in employing or contracting for the services of law-enforcement officers. Adding §§ 8.01-42.6 and 8.01-42.7. (Patron–Bourne, HB 5013)

Civilian deaths in custody; every law-enforcement agency and correctional facility to report to the Department of Criminal Justice Services certain information regarding the death of any person who is detained, under arrest or in the process of being arrested, etc., report. Adding § 9.1-193. (Patron–Price, HB 5081)

Collective bargaining; no county, city, or town, or like governmental officer, agent, or governing body is vested with or possesses any authority to recognize any labor union or other employee association as a bargaining agent of any law-enforcement agency or its employees, etc. Amending § 40.1-57.2. (Patron–Newman, SB 5027; Stanley, SB 5078)

Collective bargaining; prohibits a county, city, or town from entering into a contract with a labor union or other employee association representing law-enforcement officers or employees of a law-enforcement agency, etc. Amending § 40.1-57.2. (Patron–LaRock, HB 5071)

Criminal Justice Services, Department of; creation of statewide telephone hotline for complaints of police misconduct. Amending § 9.1-102. (Patron–Miyares, HB 5032)

Criminal Justice Services, Department of; de-escalation techniques and practices for law-enforcement personnel, compulsory minimum training standards for certification and recertification of law-enforcement officers. Amending § 9.1-102. (Patron–Wampler, HB 5128)

Criminal Justice Services, Department of; powers and duties of Director, law-enforcement training standards, repeals provision relating to Committee on Training. Amending § 9.1-107; repealing § 9.1-112. (Patron–Price, HB 5063)

Crisis intervention team training; appropriates a sum sufficient to provide basic and advanced training to all state and local law-enforcement officers. (Patron–McDougle, SB 5113)

Hate crimes; falsely summoning or giving false reports to law-enforcement officials, increases penalty. Amending § 18.2-461. (Patron–Askew, HB 5098, CH 22)

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- Law-enforcement agencies; acquisition and use of military property, Department of Criminal Justice Services to establish training standards, etc., and update policies for law-enforcement personnel in handling and use of tear gas or other gases and kinetic impact munitions, etc., establish and administer a waiver process for agencies to use certain military property, etc., prohibited practices for law-enforcement officers during an arrest or detention, penalties. Amending §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3; adding §§ 2.2-5515, 15.2-1721.1, 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron—Helmer, HB 5049, CH 55)
- Law-enforcement agencies; all agencies having jurisdiction over criminal law enforcement or regulatory violations to implement and operate a body-worn camera system, etc. Amending § 15.2-1723.1. (Patron—Bell, HB 5135)
- Law-enforcement agencies; all local and state agencies to obtain and maintain accreditation by the Virginia Law Enforcement Professionals Standards Commission. Amending § 9.1-102; adding § 9.1-114.3. (Patron—Avoli, HB 5137)
- Law-enforcement agencies; creates a special nonreverting fund to be known as the Body-Worn Camera System Fund to assist state or local agencies with costs of purchasing, etc., body-worn camera systems. Adding § 9.1-116.7. (Patron—Reeves, SB 5052)
- Law-enforcement agencies; minimum standards for citizen complaints against law enforcement, investigation time limits. Amending § 9.1-600. (Patron—Davis, HB 5044)
- Law-enforcement civilian oversight bodies; governing body of a locality may establish, oversight body shall reflect demographic diversity of locality, duties of oversight body, etc., effective date. Amending §§ 9.1-507 and 15.2-1507; adding § 9.1-601. (Patron—Herring, HB 5055, CH 29)
- Law-enforcement misconduct; Attorney General authorized to file civil suit or inquire into or seek to conciliate any unlawful pattern and practice against the Commonwealth, etc., conciliation agreements with localities. Amending § 2.2-520; adding § 2.2-511.1. (Patron—Lopez, HB 5072, CH 18; Lucas, SB 5024, CH 19)
- Law-enforcement officer; conduct during arrest or detention, failure to intervene in an unlawful use of excessive force, penalties. Adding §§ 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron—McQuinn, HB 5029, CH 25)
- Law-enforcement officer; duty to render aid, duty to report wrongdoing by another law-enforcement officer, penalty. Amending § 52-30.1; adding §§ 15.2-1704.1 and 15.2-1704.2. (Patron—Levine, HB 5112)
- Law-enforcement officer conduct during an arrest or detention; use of force, prohibited practices. Adding §§ 19.2-83.3 and 19.2-83.4. (Patron—Aird, HB 5114)
- Law-enforcement officer training and qualifications; Department of Criminal Justice Services required to develop a uniform curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards, etc., criminal justice training academies, hiring agency or jail may require a candidate for employment to undergo a psychological examination. Amending §§ 9.1-102 and 15.2-1705; adding § 9.1-112.1. (Patron—Hope, HB 5109, CH 48)
- Law-enforcement officer training and qualifications; Department of Criminal Justice Services required to develop uniform curriculum and lesson plans, effective date. Amending §§ 9.1-102 and 15.2-1705; adding § 9.1-112.1. (Patron—Price, HB 5066)
- Law-enforcement officers; an officer may bring an action against any person, group of persons, organization, etc., to recover damages, together with reasonable costs and attorney fees, sustained during such officer's performance of official duties, etc. Adding § 8.01-42.6. (Patron—Adams, L.R., HB 5012)
- Law-enforcement officers; changes minimum qualifications. Amending § 15.2-1705. (Patron—Coyner, HB 5076)
- Law-enforcement officers; Criminal Justice Services Board to adopt statewide professional standards of conduct applicable to all officers, notification of misconduct. Amending §§ 9.1-102 and 15.2-1707. (Patron—Avoli, HB 5136)
- Law-enforcement officers; definition, prohibition on the use of neck restraints, exception, penalties. Adding §§ 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron—Carroll Foy, HB 5069, CH 35)
- Law-enforcement officers; duty to intervene and report unlawful use of force. Adding § 15.2-1723.2. (Patron—Bell, HB 5134)

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- Law-enforcement officers; officers to complete crisis intervention training as part of the compulsory minimum training standards subsequent to employment, Department of Criminal Justice Services to update policies for personnel in awareness of systemic and individual racism, bias-based profiling, etc. Amending §§ 9.1-102 and 9.1-188. (Patron–Edwards, SB 5014, CH 36)
- Law-enforcement officers; prohibition on the use of neck restraints. Adding § 19.2-80.3. (Patron–Norment, SB 5002)
- Law-enforcement officers; required release of video or audio recording, discharge of firearm or use of stun gun or chemical irritant, exceptions to such release. Adding § 9.1-601. (Patron–Rasoul, HB 5091)
- Law-enforcement officers and jail officers, certified; sheriff, chief of police, or agency administrator shall notify the Criminal Justice Services Board in writing within 48 hours if any officer is terminated or resigns for engaging in serious misconduct, etc., report. Amending §§ 9.1-102 and 15.2-1707. (Patron–Simon, HB 5051, CH 27)
- Law-enforcement officers, deputy sheriff, jail officer, etc.; minimum qualifications, disclosure of information to a prospective hiring agency or jail, psychological examination. Amending §§ 9.1-102, 15.2-1705, and 15.2-1709. (Patron–Price, HB 5104, CH 32)
- Law-enforcement or correctional officer; increases penalty if any person intentionally projects beam or a point of light from a laser, etc., while knowing or having reason to know such person is an officer. Amending § 18.2-57.01. (Patron–Robinson, HB 5139)
- Localities; responsible for damages caused by inadequate police response. (Patron–Cole, M.L., HB 5026)
- Mental health crises; Department of Criminal Justice Services to advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement agencies cooperation, with development and implementation of the mental health awareness response and community understanding services (Marcus) alert system, definitions, protocol and training for law-enforcement participation in Marcus alert system, response to mental health crises, comprehensive crisis system, report. Amending § 9.1-102; adding §§ 9.1-193 and 37.2-311.1. (Patron–Bourne, HB 5043, CH 41; McPike, SB 5038, CH 42)
- Person in custody of a law-enforcement officer, inmate, parolee, probationer, juvenile detainee, or pretrial defendant or posttrial offender; carnal knowledge of a person detained or arrested, adds private, local, or state law-enforcement agency to list, penalty. Amending § 18.2-64.2. (Patron–Delaney, HB 5045, CH 26)
- Police and court records; person allowed to petition for expungement of records relating to such person's conviction for misdemeanors and certain felonies if he has been granted a simple pardon for the crime. Amending §§ 19.2-392.1, 19.2-392.2, and 19.2-392.4. (Patron–Norment, SB 5006)
- Police officers, deputy sheriffs, and jail officers; employment and decertification. Amending §§ 15.2-1705, 15.2-1707, and 15.2-1709. (Patron–Bell, HB 5133)
- Policing reform; acquisition of military property, handling and use of tear gas or other gases and kinetic impact munitions, training for law-enforcement officers in de-escalation techniques, compulsory in-service training standards, guidelines and standards for psychological examinations, change in membership for the Criminal Justice Services Board, etc., report. Amending §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4; adding §§ 2.2-5515, 9.1-112.1, 15.2-1721.1, and 19.2-83.3 through 19.2-83.7. (Patron–Locke, SB 5030, CH 37)
- Search warrants; law-enforcement officer shall be recognizable and identifiable as a uniformed officer and provide audible notice of his authority, etc. Amending § 19.2-56. (Patron–Aird, HB 5099, CH 31)
- Uniformed law-enforcement officers; every officer who is on duty and in uniform required to wear a badge, nameplate, or other device that conspicuously displays the officer's badge or other identification number or the name of the officer, etc. Adding § 15.2-1723.2. (Patron–Carter, HB 5131)
- Virginia Freedom of Information Act; law-enforcement criminal incident information, definitions, criminal investigative files. Amending § 2.2-3706. (Patron–Hurst, HB 5090)

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- Law-enforcement agencies; acquisition and use of military property, Department of Criminal Justice Services to establish training standards, etc., and update policies for law-enforcement personnel in handling and use of tear gas or other gases and kinetic impact munitions, etc., establish and administer a waiver process for agencies to use certain military property, etc., prohibited practices for law-enforcement officers during an arrest or detention, penalties. Amending §§ 9.1-101, 9.1-102, 15.2-1123.1, and 52-11.3; adding §§ 2.2-5515, 15.2-1721.1, 19.2-83.3, 19.2-83.4, and 19.2-83.5. (Patron–Helmer, HB 5049, CH 55)
- Law-enforcement officer; duty to render aid, duty to report wrongdoing by another law-enforcement officer, penalty. Amending § 52-30.1; adding §§ 15.2-1704.1 and 15.2-1704.2. (Patron–Levine, HB 5112)
- Policing reform; acquisition of military property, handling and use of tear gas or other gases and kinetic impact munitions, training for law-enforcement officers in de-escalation techniques, compulsory in-service training standards, guidelines and standards for psychological examinations, change in membership for the Criminal Justice Services Board, etc., report. Amending §§ 9.1-101, 9.1-102, 9.1-108, 9.1-112, 15.2-1123.1, 15.2-1609.10, 15.2-1705, 15.2-1707, 15.2-1709, 15.2-1722.1, 18.2-64.2, 19.2-56, 19.2-201, 52-11.3, 52-30.2, 52-30.3, and 52-30.4; adding §§ 2.2-5515, 9.1-112.1, 15.2-1721.1, and 19.2-83.3 through 19.2-83.7. (Patron–Locke, SB 5030, CH 37)
- Workers’ compensation; establishes a presumption that COVID-19 causing death, etc., of any salaried or volunteer firefighter, member of State Police Officers’ Retirement System, etc., is an occupational disease. Amending § 65.2-402.1. (Patron–Kiggans, SB 5022)

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- Geriatric prisoners; conditional release, exceptions. Amending § 53.1-40.01. (Patron–Miyares, HB 5035)
- Geriatric, terminally ill, or permanently physically disabled prisoners; conditional release. Amending § 53.1-40.01. (Patron–Subramanyam, HB 5053)
- Parole; Department of Corrections shall release a prisoner no sooner than 21 business days after the date of notification by the Virginia Parole Board to the appropriate attorney for the Commonwealth of the decision to grant parole, etc. Amending §§ 53.1-136 and 53.1-155. (Patron–Obenshain, SB 5050)

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- Parole; monthly report issued by the Virginia Parole Board regarding actions taken on the parole of prisoners required to include the offenses of which prisoners considered for parole were convicted, etc. Amending § 53.1-136. (Patron–McGuire, HB 5101)
- Terminally ill prisoners; conditional release, definition of “terminally ill”, persons serving a sentence for either Class 1 felony, arson when structure burned was occupied, etc., are not eligible for consideration. Adding § 53.1-40.02. (Patron–Bell, SB 5018, CH 33)
- Terminally ill prisoners; conditional release, maximum of 4.5 sentence credits may be earned for each 30 days served on certain sentences, report, effective date. Amending § 53.1-202.3; adding § 53.1-40.02. (Patron–Boysko, SB 5034, CH 52)

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- Civil cause of action; intentional act or act of gross negligence by member of the Virginia Parole Board. Adding § 53.1-140.1. (Patron–Rush, HB 5097)
- Correctional facility, local; clarifies definition. Amending § 53.1-1. (Patron–Boysko, SB 5017, CH 23)
- Correctional facility, local or state; mandatory reporting of all offenders released before the completion of the offender’s sentence. (Patron–Miyares, HB 5034)
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- Geriatric prisoners; conditional release, exceptions. Amending § 53.1-40.01. (Patron–Miyares, HB 5035)
- Geriatric, terminally ill, or permanently physically disabled prisoners; conditional release. Amending § 53.1-40.01. (Patron–Subramanyam, HB 5053)
- Law-enforcement or correctional officer; increases penalty if any person intentionally projects beam or a point of light from a laser, etc., while knowing or having reason to know such person is an officer. Amending § 18.2-57.01. (Patron–Robinson, HB 5139)
- Parole; Department of Corrections shall release a prisoner no sooner than 21 business days after the date of notification by the Virginia Parole Board to the appropriate attorney for the Commonwealth of the decision to grant parole, etc. Amending §§ 53.1-136 and 53.1-155. (Patron–Obenshain, SB 5050)
- Parole; eligibility, persons convicted of murder, etc. Amending § 53.1-151. (Patron–Chafin, SB 5103)
- Parole; monthly report issued by the Virginia Parole Board regarding actions taken on the parole of prisoners required to include the offenses of which prisoners considered for parole were convicted, etc. Amending § 53.1-136. (Patron–McGuire, HB 5101)
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- Terminally ill prisoners; conditional release, maximum of 4.5 sentence credits may be earned for each 30 days served on certain sentences, report, effective date. Amending § 53.1-202.3; adding § 53.1-40.02. (Patron–Boysko, SB 5034, CH 52)

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- Virginia Residential Landlord and Tenant Act; landlord remedies, noncompliance with rental agreement, payment plan, sunset provision. Amending § 55.1-1245. (Patron–Price, HB 5064, CH 46; Ebbin, SB 5088, CH 54)

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- Capitol Square Preservation Council; powers and duties, review and approval of plans for changes to artifacts contained within the Capitol Building. Amending § 30-194. (Patron–Norment, SB 5047)

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- Burning cross on property of another or public place with intent to intimidate; increases penalty. Amending § 18.2-423. (Patron–Reeves, SB 5053)
- Displaying noose on property of another or a highway or other public place with intent to intimidate; increases penalty. Amending § 18.2-423.2. (Patron–Reeves, SB 5054)
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- School boards; board required to post on its website the COVID-19 virus mitigation plan. (Patron–Carroll Foy, HB 5096)
- School boards; boards required to provide to each teacher or other school board employee who is employed in a public elementary or secondary school up to 14 days of paid leave, in event employee contracts COVID-19, etc. (Patron–Coyner, HB 5078)
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- School boards; each board to make available in-person instruction to each enrolled student when any residential area in the local school division is not capable of receiving Internet access at certain download and upload speeds. Amending § 22.1-79. (Patron–McDoughle, SB 5114)
- School boards; if any board does not provide the option of in-person instruction as sole method of instruction for any student, parent who withdraws student from attendance, upon request, to receive an education voucher, etc. Adding § 22.1-98.3. (Patron–Webert, HB 5011)
- School boards; paid leave for teachers in local school division up to 14 days in the event the teacher has been exposed to COVID-19, etc. (Patron–Dunnavant, SB 5094)
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School boards; if any board does not provide the option of in-person instruction as sole method of instruction for any student, parent who withdraws student from attendance, upon request, to receive an education voucher, etc. Adding § 22.1-98.3. (Patron–Webert, HB 5011)

School boards, certain; student meals, participation in the Community Eligibility Provision, waivers issued by the Superintendent of Public Instruction to schools. Adding § 22.1-207.4:1. (Patron–Roem, HB 5113, CH 2)

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School security officers and school resource officers; compulsory minimum training standards, working with students with disabilities. Amending § 9.1-102. (Patron–Kory, HB 5061)

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Crisis intervention team program; annual report by Department of Criminal Justice Services and Department of Behavioral Health and Developmental Services. Amending §§ 9.1-187 and 9.1-190. (Patron–Kory, HB 5060)

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Emergency Debt Repayment Plan; every jurisdictional utility shall develop a Plan for arrearages accrued during a state of emergency, etc., by residential customers, report. (Patron–McClellan, SB 5118)

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Law-enforcement officers and jail officers, certified; sheriff, chief of police, or agency administrator shall notify the Criminal Justice Services Board in writing within 48 hours if any officer is terminated or resigns for engaging in serious misconduct, etc., report. Amending §§ 9.1-102 and 15.2-1707. (Patron–Simon, HB 5051, CH 27)

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School boards; paid leave for teachers in local school division up to 14 days in the event the teacher has been exposed to COVID-19, etc. (Patron-Dunnavant, SB 5094)

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 H.B. 5005, Governor’s recommendation No. 8 786
 H.B. 5099 379

TRADE AND COMMERCE

Virginia Post-Disaster Anti-Price Gouging Act; prohibits any manufacturer or distributor from selling necessary goods or services at an unconscionable price during a declared state of emergency, exception. Amending §§ 59.1-526 and 59.1-527. (Patron–Murphy, HB 5047, CH 16)

TUCKER, ALBERT SIDNEY JOHNSTON, III

Tucker, Albert Sidney Johnston, III; recording sorrow upon death. (Patron–Suetterlein, SR 554)

TURPIN, RALPH ESSEX, JR.

Turpin, Ralph Essex, Jr.; recording sorrow upon death. (Patron–Deeds, SR 528)

UNCODIFIED LEGISLATION

- Broadband services; appropriates to the Department of Housing and Community Development a sum sufficient to expand access to services in underserved and unserved areas of the Commonwealth. (Patron–McDougle, SB 5115)
- Budget bill; appropriated funds for the 2020-2022 biennium. Amending Chapter 1289, 2020 Acts. (Patron–Torian, HB 5005; Howell, SB 5015)
- Concealed handgun permits; demonstration of competence, changes effective date. Amending second enactment of Chapters 390 and 1130, 2020 Acts. (Patron–Stuart, SB 5041)
- Correctional facility, local or state; mandatory reporting of all offenders released before the completion of the offender’s sentence. (Patron–Miyares, HB 5034)
- COVID-19; impact of distance learning on students, Department of Health, et al., to develop criteria and information, etc. (Patron–Hodges, HB 5095)
- COVID-19 virus; Commissioner of Health shall make available to the public on a website maintained by Department of Health information about confirmed cases by week and by health district, confirmed cases by age group and by race and ethnicity, etc. (Patron–Dunnavant, SB 5090, CH 13)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment. (Patron–Runion, HB 5019; Vogel, SB 5098)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment, definitions. (Patron–Vogel, SB 5099)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment, immunities provided expire two years after expiration, etc., of all states of emergency declared by Governor related to pandemic. (Patron–Miyares, HB 5037)
- COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus and uses of personal protective equipment provided person has substantially complied with applicable federal, state, and local laws, etc. (Patron–Ransone, HB 5110)
- COVID-19 virus; immunity from civil claims related to transmission of or exposure to the virus, definitions. (Patron–Sullivan, HB 5074; Saslaw, SB 5067)
- COVID-19 virus; immunity from civil claims related to transmission of or exposure to the virus, sunset provision. (Patron–O’Quinn, HB 5040)
- Crisis intervention team training; appropriates a sum sufficient to provide basic and advanced training to all state and local law-enforcement officers. (Patron–McDougle, SB 5113)

UNCODIFIED LEGISLATION (continued)

- Elections, Department of; appropriations to be used to provide prepaid postage for return of absentee ballots for November 3, 2020, election, mailed absentee ballots shall be returned by mail to general registrar's office, in person to general registrar, to a drop-off location, etc. Amending Chapter 1289, 2020 Acts. (Patron-Sickles, HB 5103; Howell, SB 5120, CH 1)
- Emergency Debt Repayment Plan; every jurisdictional utility shall develop a Plan for arrearages accrued during a state of emergency, etc., by residential customers, report. (Patron-McClellan, SB 5118)
- Emergency Debt Repayment Plan; every utility providing electric, gas, or water or wastewater service to develop a Plan for residential customers. (Patron-Aird, HB 5117)
- Emergency laws; civil relief, citizens furloughed or otherwise receiving reduced wages or payments due to state of emergency declared by the Governor in response to the COVID-19 pandemic. (Patron-Price, HB 5115, CH 49)
- Emergency Services and Disaster Law; powers and duties of the Governor, prohibition on certain executive orders related to the COVID-19 pandemic. (Patron-Peake, SB 5048)
- Employers; reporting outbreaks of COVID-19. (Patron-Lewis, SB 5064)
- Fines and costs, certain; payment agreements, temporary suspension on accrual of interest, etc., sunset provision. (Patron-Bourne, HB 5014)
- General Assembly; establishes a joint committee for the purpose of determining rules to govern the conduct of business by electronic means, report. (Patron-Fariss, HB 5145)
- Guests of transient lodging facilities impacted by the COVID-19 pandemic; application of the Virginia Residential Landlord and Tenant Act. (Patron-Locke, SB 5089)
- Guests of transient lodging facilities impacted by the COVID-19 pandemic; suspending self-help evictions. (Patron-Jenkins, HB 5120)
- Litter tax; refunds for penalties for late payments. (Patron-McNamara, HB 5003)
- Localities; responsible for damages caused by inadequate police response. (Patron-Cole, M.L., HB 5026)
- Motor Vehicles, Department of; customer service centers required to be open and accept walk-in customers six days a week between 8:30 a.m. and 5:00 p.m. (Patron-Cole, M.L., HB 5001)
- Novel coronavirus (COVID-19) pandemic; State Inspector General to investigate the Commonwealth's response to the public health emergency. (Patron-Gilbert, HB 5124)
- School boards; board (as term is defined in section 22.1-1 of the Code of Virginia) required to post on its website the COVID-19 virus mitigation plan. (Patron-McClellan, SB 5083, CH 9)
- School boards; board required to post on its website the COVID-19 virus mitigation plan. (Patron-Carroll Foy, HB 5096)
- School boards; boards required to provide to each teacher or other school board employee who is employed in a public elementary or secondary school up to 14 days of paid leave, in event employee contracts COVID-19, etc. (Patron-Coyner, HB 5078)
- School boards; paid leave for teachers in local school division up to 14 days in the event the teacher has been exposed to COVID-19, etc. (Patron-Dunnavant, SB 5094)
- School Quality Profiles; Department of Education required to include on each Profile data on teachers' race and proficiency in any language other than English. (Patron-Subramanyam, HB 5107)
- Student growth measurement system; Department of Education to create a system that evaluates, etc., for use in public schools during the COVID-19 pandemic. (Patron-Dunnavant, SB 5091)
- Student safety drills and student health screenings; school boards to waiver drills and screenings. (Patron-Peake, SB 5068)
- Tax refunds; waiver of penalties and interest, providing refunds to taxpayers suffering a job loss, business closure, etc., as a result of an emergency declaration in response to the COVID-19 pandemic. (Patron-Cole, M.L., HB 5006)
- Vaccines and other medications; Department of Health to convene a work group to plan for equitable distribution to treat or prevent the spread of COVID-19, report. (Patron-Sickles, HB 5122)
- Virginia Residential Landlord and Tenant Act; temporary applicability to certain occupants of hotels, motels, extended stay facilities, or boardinghouses during and immediately after the COVID-19 pandemic. (Patron-Jenkins, HB 5119)

UNCODIFIED LEGISLATION (continued)

Virginia Residential Landlord and Tenant Act; temporary prohibition against landlord termination of rental agreements or actions to obtain possession of a dwelling unit under certain circumstances. (Patron–Hashmi, SB 5051)

Virginia Residential Landlord and Tenant Act; temporary prohibition against landlord termination of rental agreements or actions to obtain possession of a dwelling unit under certain circumstances, landlord has taken all necessary steps to apply for any available rental assistance that could assist with tenant’s rent, etc. (Patron–Cole, J.G., HB 5111)

UNEMPLOYMENT COMPENSATION

Unemployment compensation; benefits, suitable work. Amending § 60.2-618. (Patron–Subramanyam, HB 5054)

Unemployment compensation; eliminates the one-week waiting period for an eligible unemployed individual to receive benefits. Amending § 60.2-612. (Patron–Hudson, HB 5118)

Unemployment compensation; extends the date by which the Virginia Employment Commission is required to establish and implement a short-time compensation program by January 1, 2022, repeals provisions that established a program that provides employers with option of reducing hours worked by employees, etc. Amending § 60.2-712; repealing third and fourth enactments of Chapter 1261, 2020 Acts. (Patron–Tran, HB 5087, CH 8)

Unemployment compensation; extends the date by which the Virginia Employment Commission is required to establish and implement a short-time compensation program not later than January 1, 2022, repeals provisions that established a program that provides employers with option of reducing hours worked by employees, etc. Amending § 60.2-712; repealing third and fourth enactments of Chapter 1261, 2020 Acts. (Patron–McPike, SB 5107)

UNITED STATES GOVERNMENT

Federal elections scheduled for November 3, 2020; Congress of the United States urged to not delay or postpone. (Patron–Carroll Foy, HJR 5009)

United States Constitution; General Assembly to make application to Congress to call a convention of the states to propose amendments that impose fiscal restraints on the federal government, etc. (Patron–Campbell, R.R., HJR 5013)

UTILITY SERVICES

Electric utility regulation; triennial review proceeding, emergency investigations, administration of earnings. Amending § 56-585.1. (Patron–Jones, HB 5088; Bell, SB 5085)

Emergency Debt Repayment Plan; every jurisdictional utility shall develop a Plan for arrearages accrued during a state of emergency, etc., by residential customers, report. (Patron–McClellan, SB 5118)

Emergency Debt Repayment Plan; every utility providing electric, gas, or water or wastewater service to develop a Plan for residential customers. (Patron–Aird, HB 5117)

VIDEO AND AUDIO COMMUNICATIONS

Trial before a judge; allows a personal appearance required or permitted at or after trial to be made using two-way electronic video and audio communication. Amending § 19.2-3.1. (Patron–Campbell, R.R., HB 5147)

VINDMAN, ALEXANDER SEMYON

Vindman, Alexander Semyon; commending. (Patron–McPike, SR 542)

VIRGINIA HOSPITAL & HEALTHCARE ASSOCIATION

Virginia Hospital & Healthcare Association, Virginia’s hospitals, and hospital workers; commending. (Patron–Saslaw, SR 505)

VIRGINIA RESIDENTIAL LANDLORD AND TENANT ACT

Guests of transient lodging facilities impacted by the COVID-19 pandemic; application of the Virginia Residential Landlord and Tenant Act. (Patron–Locke, SB 5089)

Virginia Residential Landlord and Tenant Act; landlord remedies, noncompliance with rental agreement, payment plan, sunset provision. Amending § 55.1-1245. (Patron–Price, HB 5064, CH 46; Ebbin, SB 5088, CH 54)

VIRGINIA RESIDENTIAL LANDLORD AND TENANT ACT (continued)

Virginia Residential Landlord and Tenant Act; temporary applicability to certain occupants of hotels, motels, extended stay facilities, or boardinghouses during and immediately after the COVID-19 pandemic. (Patron–Jenkins, HB 5119)

Virginia Residential Landlord and Tenant Act; temporary prohibition against landlord termination of rental agreements or actions to obtain possession of a dwelling unit under certain circumstances. (Patron–Hashmi, SB 5051)

Virginia Residential Landlord and Tenant Act; temporary prohibition against landlord termination of rental agreements or actions to obtain possession of a dwelling unit under certain circumstances, landlord has taken all necessary steps to apply for any available rental assistance that could assist with tenant’s rent, etc. (Patron–Cole, J.G., HB 5111)

VOGEL, JILL HOLTZMAN

Leave of absence. 44, 54, 96, 114, 120, 125, 140

Notified Clerk of presence 28, 64, 73, 77, 141

VOTERS AND VOTING

Absentee voting; unsolicited absentee ballot applications. Adding § 24.2-714. (Patron–Batten, HB 5079)

VYE, LLOYD J.

Vye, Lloyd J.; commending. (Patron–Surovell, SR 516)

WASTE DISPOSAL

Emergency Debt Repayment Plan; every utility providing electric, gas, or water or wastewater service to develop a Plan for residential customers. (Patron–Aird, HB 5117)

WEAPONS

Riots and unlawful assemblies; dangerous weapons, penalty. Amending §§ 18.2-405 and 18.2-406. (Patron–Gilbert, HB 5125; DeSteph, SB 5073)

WELFARE (SOCIAL SERVICES)

Adult protective services; creates a central registry of substantiated complaints of adult abuse, neglect, and exploitation to be maintained by the Department for Aging and Rehabilitative Services. Amending §§ 2.2-3802, 51.5-148, and 63.2-1605; adding §§ 51.5-148.1, 51.5-148.2, 63.2-1605.1, 63.2-1605.2, and 63.2-1605.3. (Patron–Head, HB 5042)

Child care providers; personal protective equipment during certain declared states of emergency for essential workers, Adding § 63.2-1714.1. (Patron–Dunnivant, SB 5096)

Long-term care facilities; during a declared public health emergency related to a communicable disease of public health threat, every hospital, nursing home, etc., shall allow visits from a patient’s or resident’s family members when patient has been diagnosed with a terminal condition or illness and the patient’s death is expected to be imminent. Amending §§ 32.1-127, 32.1-162.5, and 63.2-1732. (Patron–Robinson, HB 5140)

WESCOTT, JEFF MATTHEW, JR.

Wescott, Jeff Matthew, Jr.; recording sorrow upon death. (Patron–McClellan, SR 544)

WEST, RICHARD DUANE

West, Richard Duane; recording sorrow upon death. (Patron–DeSteph, SR 522)

WINGATE, CODY LEE

Wingate, Cody Lee; recording sorrow upon death. (Patron–Pillion, SR 557)

WOMEN’S SUFFRAGE MONTH

Women’s Suffrage Month; designating as August 2020 and each succeeding year thereafter. (Patron–Convirs-Fowler, HJR 5011)

WOODS, CHARLES C.

Woods, Charles C.; recording sorrow upon death. (Patron–Pillion, SR 560)

WORKERS' COMPENSATION

Workers' compensation; establishes a presumption that COVID-19 causing death, etc., of any salaried or volunteer firefighter, member of State Police Officers' Retirement System, etc., is an occupational disease. Amending § 65.2-402.1. (Patron-Kiggans, SB 5022)

Workers' compensation; establishes a presumption that COVID-19 causing death or disability of firefighters, emergency medical services personnel, law-enforcement officers, etc., as an occupational disease. Amending § 65.2-402.1. (Patron-Saslaw, SB 5066; Vogel, SB 5097; Deeds, SB 5104)

Workers' compensation; establishes a presumption that COVID-19 causing the death or disability of firefighters, emergency medical services personnel, school board employees, etc., is an occupational disease. Amending § 65.2-402.1. (Patron-Jones, HB 5028)

PATRONAGE OF SENATE LEGISLATION

- S.B. 5001. Emergency Services and Disaster Law;** limitation on duration of executive orders.
Patron(s): Newman
Co-Patron(s): Senator(s): Chase, Dunnavant, Hanger, Kiggans, Norment, Peake, Pillion, Reeves and Ruff; Delegates: Cole, M.L. and Wright
- S.B. 5002. Law-enforcement officers;** prohibition on the use of neck restraints.
Patron(s): Norment
- S.B. 5003. Civil Rights and Policing, Commission on;** established, membership, report, sunset provision.
Patron(s): Stuart
Co-Patron(s): Senator(s): Locke and Ebbin; Delegate: Cole, M.L.
- S.B. 5004. School nurses;** local school boards shall employ nurses for elementary, middle, & high schools.
Patron(s): Kiggans
Co-Patron(s): Senator(s): Hashmi, Boysko, McClellan and Ruff; Delegates: Adams, D.M. and Rasoul
- S.B. 5005. Criminal justice training academies;** adds to the powers and duties of DCJS regarding academies.
Patron(s): Norment
- S.B. 5006. Police and court records;** expungement of certain records, pardons.
Patron(s): Norment
Co-Patron(s): Senator(s): Suetterlein and Morrissey; Delegate: Cole, M.L.
- S.B. 5007. Criminal cases;** sentencing reform, procedure for trial by jury, etc.
Patron(s): Morrissey
Co-Patron(s): Senator(s): Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Locke, McClellan and Surovell; Delegates: Aird, Bagby, Bourne, Carr, Carroll Foy, Cole, J.G., Herring, Hope, Kory, McQuinn, Rasoul, Samirah and Scott
- S.B. 5008. Emergency Services and Disaster Law;** limitation on duration of executive orders.
Patron(s): Suetterlein
Co-Patron(s): Senator(s): Chase, Dunnavant, Kiggans and Ruff; Delegate: Cole, M.L.
- S.B. 5009. Alcohol-related offenses;** expungement of certain offenses.
Patron(s): Peake
Co-Patron(s): Senator(s): Morrissey and Suetterlein; Delegate: Cole, M.L.
- S.B. 5010. Assault and battery;** penalty.
Patron(s): Norment
Co-Patron(s): Senator(s): DeSteph, Reeves and Ruff; Delegate: Cole, M.L.
- S.B. 5011. Motor vehicle safety inspection program;** abolishing state program, etc.
Patron(s): Suetterlein
Co-Patron(s): Delegate: Cole, M.L.
- S.B. 5012. Virginia Freedom of Information Act;** Virginia Parole Board member votes.
Patron(s): Suetterlein
Co-Patron(s): Senator(s): Norment, Chase, Peake and Ruff; Delegates: Cole, M.L. and Ransone
- S.B. 5013. Marijuana;** possession, violations by an adult shall be prepayable.
Patron(s): Stuart
Co-Patron(s): Senator(s): Ebbin, McPike and Morrissey; Delegate: Cole, M.L.
- S.B. 5014. Law-enforcement officers;** officers to complete crisis intervention training.
Patron(s): Edwards
Co-Patron(s): Senator(s): McDougle, Boysko, Deeds, Favola, Hashmi, Howell, Lucas, McClellan and Morrissey; Delegate: Kory

S.B. 5015. Budget Bill.**Patron(s):** Howell**Co-Patron(s):** Delegate: Kory**S.B. 5016. Parole statutes;** application for juveniles and persons committed upon certain felony offenses.**Patron(s):** Edwards**Co-Patron(s):** Senator(s): Hashmi, Lucas and Morrissey; Delegate: Kory**S.B. 5017. Correctional facility, local;** clarifies definition.**Patron(s):** Boysko**Co-Patron(s):** Senator(s): Deeds, Ebbin, Favola, Hashmi, Howell, Locke, Lucas, McClellan and Morrissey; Delegates: Kory, Rasoul, Samirah and Willett**S.B. 5018. Terminally ill prisoners;** conditional release.**Patron(s):** Bell**Co-Patron(s):** Delegates: Kory, Rasoul and Sickles**S.B. 5019. Assault and battery;** penalty.**Patron(s):** Reeves**Co-Patron(s):** Senator(s): DeSteph; Delegate: Cole, M.L.**S.B. 5020. Public education;** voucher program, policies and procedures, etc.**Patron(s):** Chase**Co-Patron(s):** Delegate: Cole, M.L.**S.B. 5021. Public schools;** mandatory virtual learning, provision of required technology and Internet service.**Patron(s):** Chase**Co-Patron(s):** Delegate: Cole, M.L.**S.B. 5022. Workers' compensation;** presumption of compensability for COVID-19.**Patron(s):** Kiggans**S.B. 5023. Health care providers;** certain immunity during disaster under specific circumstances, etc.**Patron(s):** Norment**Co-Patron(s):** Senator(s): DeSteph and Ruff**S.B. 5024. Law-enforcement;** Attorney Gen. authorized to file civil suit or inquire into any unlawful practice.**Patron(s):** Lucas**Co-Patron(s):** Senator(s): Boysko, Deeds, Favola, Hashmi, Howell, Locke, McClellan, Morrissey and Surovell; Delegates: Adams, D.M., Aird, Ayala, Bagby, Bourne, Carr, Carroll Foy, Cole, J.G., Cole, M.L., Hayes, Herring, Hope, Hurst, Jenkins, Kory, Krizek, Levine, Lopez, McQuinn, Price, Rasoul, Samirah, Scott, Simonds, Subramanyam and Tyler**S.B. 5025. Emergency orders and regulations;** orders adopted by the Board and Commissioner of Health, duration.**Patron(s):** Newman**Co-Patron(s):** Senator(s): Chase, Dunnavant, Kiggans, Ruff and Suetterlein**S.B. 5026. Nursing homes;** publication of information about certain communicable diseases.**Patron(s):** Newman**Co-Patron(s):** Senator(s): Kiggans, DeSteph, Dunnavant and Pillion; Delegate: Cole, M.L.**S.B. 5027. Collective bargaining;** law enforcement.**Patron(s):** Newman**Co-Patron(s):** Senator(s): Chase, Dunnavant and Suetterlein**S.B. 5028. Elementary & secondary schools, public/private;** emergency orders/regulations affecting operation.**Patron(s):** Newman**Co-Patron(s):** Senator(s): Dunnavant and Ruff; Delegate: Cole, M.L.

- S.B. 5029. Marijuana and certain traffic offenses;** issuing citations, etc,
Patron(s): Lucas
Co-Patron(s): Senator(s): Boysko, Deeds, Ebbin, Favola, Hashmi, Howell, Locke, McClellan, McPike, Morrissey and Surovell; Delegates: Adams, D.M., Aird, Ayala, Bagby, Bourne, Carr, Cole, J.G., Hayes, Herring, Hope, Hurst, Jenkins, Kory, McQuinn, Price, Rasoul, Samirah, Scott, Simonds and Tyler
- S.B. 5030. Policing reform;** acquisition of military property, training of officers in de-escalation techniques.
Patron(s): Locke
Co-Patron(s): Senator(s): Favola, Morrissey, Boysko, Ebbin and McClellan; Delegate: Kory
- S.B. 5031. Legal holidays;** Juneteenth.
Patron(s): Locke
Co-Patron(s): Senator(s): McClellan and Suetterlein; Delegates: Cole, M.L. and Kory
- S.B. 5032. Assault and battery;** penalty.
Patron(s): Surovell
Co-Patron(s): Senator(s): Boysko, Favola, Hashmi, Howell, Lucas, McClellan and Morrissey; Delegate: Kory
- S.B. 5033. Court authority in criminal cases;** prosecutorial discretion to dispose of a criminal case.
Patron(s): Surovell
Co-Patron(s): Senator(s): Ebbin, McClellan and Morrissey; Delegate: Kory
- S.B. 5034. Terminally ill prisoners;** conditional release, sentence credits.
Patron(s): Boysko
Co-Patron(s): Senator(s): Edwards, McClellan, Deeds, Favola, Hashmi, Howell, Locke, Morrissey and Surovell; Delegates: Kory and Rasoul
- S.B. 5035. Law-enforcement civilian oversight bodies;** localities may establish, duties, effective date.
Patron(s): Hashmi
Co-Patron(s): Senator(s): McClellan, Boysko, Ebbin, Favola, Morrissey and Surovell; Delegates: Carr and Kory
- S.B. 5036. Alcoholic beverage control;** local special events license, limitations on events, etc.
Patron(s): McPike
Co-Patron(s): Delegate: Kory
- S.B. 5037. Criminal Justices Services Board;** changes membership of the Committee on Training.
Patron(s): Favola
Co-Patron(s): Senator(s): Edwards and Boysko; Delegate: Kory
- S.B. 5038. Mental health crises;** DCJS to assist DBHDS, etc., with development of Marcus alert system.
Patron(s): McPike
Co-Patron(s): Senator(s): Boysko, McClellan, Hashmi and Surovell; Delegate: Kory
- S.B. 5039. Emergency Services and Disaster Law;** powers and duties of Governor, purchase of PPE.
Patron(s): Marsden
Co-Patron(s): Senator(s): Favola; Delegate: Kory
- S.B. 5040. Attorney General;** criminal cases involving certain felonies committed by law-enforcement officers.
Patron(s): Ebbin
Co-Patron(s): Delegate: Kory

- S.B. 5041. Concealed handgun permits;** demonstration of competence, changes effective date.
Patron(s): Stuart
Co-Patron(s): Delegate: Cole, M.L.
- S.B. 5042. Nursing homes, certified nursing facilities, and hospice facilities;** public health emergency, etc.
Patron(s): Kiggans
Co-Patron(s): Senator(s): Boysko, Favola, Mason, McClellan, McPike and Ruff; Delegate: McGuire
- S.B. 5043. Police and court records;** Expungement Fee Fund created, expungement of certain records.
Patron(s): Deeds
Co-Patron(s): Senator(s): McDougle, Norment, Peake, Boysko, Ebbin, Favola, Hashmi, Howell, Locke, Lucas, McClellan, McPike, Morrissey, Ruff, Suetterlein and Surovell; Delegates: Kory and Willett
- S.B. 5044. Housing;** extension of approvals to address crisis, extends sunset provision.
Patron(s): Deeds
- S.B. 5045. Virginia Criminal Sentencing Commission, et al.;** required to prepare fiscal impact statements.
Patron(s): Surovell
Co-Patron(s): Delegate: Kory
- S.B. 5046. Mandatory minimum punishment;** limitation.
Patron(s): Edwards
Co-Patron(s): Senator(s): Boysko, Deeds, Hashmi, Lucas and Morrissey
- S.B. 5047. Capitol Square Preservation Council;** powers and duties, review and approval of plans for changes.
Patron(s): Norment
Co-Patron(s): Senator(s): Ruff
- S.B. 5048. Emergency Services and Disaster Law;** powers and duties of the Governor.
Patron(s): Peake
Co-Patron(s): Senator(s): Ruff
- S.B. 5049. Law-enforcement officers;** prohibition on the use of neck restraints.
Patron(s): Morrissey
Co-Patron(s): Senator(s): McClellan; Delegate: Kory
- S.B. 5050. Parole;** notice and certification, monthly reports.
Patron(s): Obenshain
Co-Patron(s): Senator(s): Ruff and Suetterlein
- S.B. 5051. Virginia Residential Landlord and Tenant Act;** temporary prohibition against landlord termination.
Patron(s): Hashmi
Co-Patron(s): Senator(s): McClellan; Delegates: Cole, J.G. and Kory
- S.B. 5052. Law-enforcement agencies;** body-worn camera systems.
Patron(s): Reeves
- S.B. 5053. Burning cross on property of another or public place with intent to intimidate;** increases penalty.
Patron(s): Reeves
- S.B. 5054. Displaying noose on property of another or a highway or other public place to intimidate;** penalty.
Patron(s): Reeves
- S.B. 5055. Placing swastika on certain property with intent to intimidate;** increases penalty.
Patron(s): Reeves

- S.B. 5056. Riots;** person is guilty of a Class 6 felony if commits an act of violence during a riot, etc.
Patron(s): Reeves
Co-Patron(s): Senator(s): DeSteph
- S.B. 5057. Unlawful assembly;** acts of violence, penalty.
Patron(s): Reeves
Co-Patron(s): Senator(s): DeSteph
- S.B. 5058. Remaining at place of riot or unlawful assembly after warning to disperse;** increases penalty.
Patron(s): Reeves
Co-Patron(s): Senator(s): DeSteph
- S.B. 5059. Injury to property or persons by persons unlawfully or riotously assembled;** penalty.
Patron(s): Reeves
Co-Patron(s): Senator(s): DeSteph
- S.B. 5060. Obstructing emergency services personnel in performance of mission;** increases penalty.
Patron(s): Reeves
Co-Patron(s): Senator(s): DeSteph
- S.B. 5061. Abusive language;** clarifies that the crime applies to person cursing, etc., law-enforcement officer.
Patron(s): Reeves
Co-Patron(s): Senator(s): DeSteph
- S.B. 5062. Picketing or disrupting tranquility of home;** increases penalty.
Patron(s): Reeves
Co-Patron(s): Senator(s): DeSteph
- S.B. 5063. Law-enforcement officers;** decertification, acts that compromise integrity or credibility.
Patron(s): Reeves
- S.B. 5064. Employers;** reporting outbreaks of COVID-19.
Patron(s): Lewis
Co-Patron(s): Senator(s): McClellan; Delegate: Willett
- S.B. 5065. Law-enforcement officer;** civil action for deprivation of rights.
Patron(s): Morrissey
Co-Patron(s): Delegate: Kory
- S.B. 5066. Workers' compensation;** presumption of compensability for COVID-19.
Patron(s): Saslaw
Co-Patron(s): Senator(s): Deeds, Kiggans, Vogel, Ebbin and Ruff; Delegates: Kory and Rasoul
- S.B. 5067. COVID-19 virus;** immunity from civil claims related to transmission of or exposure to the virus.
Patron(s): Saslaw
Co-Patron(s): Delegate: Kory
- S.B. 5068. Student safety drills and student health screenings;** school boards to waiver drills & screenings.
Patron(s): Peake
- S.B. 5069. Public schools;** declared state of emergency, average daily membership.
Patron(s): Ruff
Co-Patron(s): Senator(s): McClellan
- S.B. 5070. Nurse practitioners;** practice without a practice agreement.
Patron(s): Kiggans
Co-Patron(s): Delegate: Adams, D.M.

- S.B. 5071. Virginia Retirement System;** retired law-enforcement officers employed as school security officers.
Patron(s): Cosgrove
Co-Patron(s): Senator(s): DeSteph and Ruff
- S.B. 5072. Emergency Services and Disaster Law;** immunity from liability, sheriffs' offices and regional jails.
Patron(s): DeSteph
Co-Patron(s): Senator(s): Ruff
- S.B. 5073. Riots and unlawful assemblies;** dangerous weapons, penalty.
Patron(s): DeSteph
- S.B. 5074. Emergency medical services and equipment at the site of a riot or unlawful assembly;** penalty.
Patron(s): DeSteph
- S.B. 5075. Injury to property or persons by persons unlawfully or riotously assembled;** penalty.
Patron(s): DeSteph
- S.B. 5076. Public & private employers;** paid sick leave to eligible employees that can be used during pandemic.
Patron(s): Favola
Co-Patron(s): Senator(s): Boysko and McClellan
- S.B. 5077. Emergency laws;** limits powers and duties of Governor.
Patron(s): Stanley
Co-Patron(s): Senator(s): Ruff
- S.B. 5078. Collective Bargaining;** law enforcement.
Patron(s): Stanley
- S.B. 5079. Law-enforcement free zones and standing down during a riot or unlawful assembly; civil action.**
Patron(s): Stanley
Co-Patron(s): Senator(s): Ruff
- S.B. 5080. Telemedicine services;** originating site.
Patron(s): Barker
Co-Patron(s): Senator(s): Dunnivant and Ruff; Delegates: Kory and Rasoul
- S.B. 5081. Outbreaks of communicable disease of public health threat;** posting of information about cases.
Patron(s): Barker
Co-Patron(s): Senator(s): Newman, Suetterlein, Ebbin, Kiggans, McClellan and Ruff; Delegate: Kory
- S.B. 5082. Hospices, certain, home care organizations, etc.;** immunity from civil liability, COVID-19.
Patron(s): Marsden
Co-Patron(s): Senator(s): Norment and Dunnivant; Delegate: Kory
- S.B. 5083. School boards;** board required to post on its website the COVID-19 virus mitigation plan.
Patron(s): McClellan and Hashmi
Co-Patron(s): Delegates(s): Carr and Kory
- S.B. 5084. Mental health awareness response & community understanding serv. (Marcus) alert syst.;** establishes.
Patron(s): McClellan
Co-Patron(s): Senator(s): Favola and Hashmi

- S.B. 5085. Electric utility regulation;** triennial review proceeding, emergency investigations, etc.
Patron(s): Bell
Co-Patron(s): Senator(s): Ebbin and Suetterlein
- S.B. 5086. Emergency Housing Stability Protection Act;** provisions activated by Gov. during state of emergency.
Patron(s): Bell
- S.B. 5087. Telemedicine services;** originating site.
Patron(s): Dunnivant
- S.B. 5088. Virginia Residential Landlord & Tenant Act;** landlord remedies, noncompliance with rental agreement.
Patron(s): Ebbin
Co-Patron(s): Senator(s): Boysko, Bell, Favola and McClellan; Delegates: Gooditis, Kory and Sickles
- S.B. 5089. Transient lodg. facility impacted by COVID-19;** application of Va. Residential Landlord & Tenant Act.
Patron(s): Locke
Co-Patron(s): Delegate: Kory
- S.B. 5090. COVID-19 virus;** Commissioner of Health shall make information available to public on a website.
Patron(s): Dunnivant
Co-Patron(s): Senator(s): Ruff
- S.B. 5091. Student growth measurement system;** VDE to create and maintain during the COVID-19 pandemic.
Patron(s): Dunnivant
- S.B. 5092. Income tax, state;** credits and deductions for household and dependent care services.
Patron(s): Dunnivant
Co-Patron(s): Senator(s): Ruff
- S.B. 5093. Virtual Virginia;** community college dual enrollment courses.
Patron(s): Dunnivant
- S.B. 5094. School boards;** paid leave for teachers that have been exposed to COVID-19, etc.
Patron(s): Dunnivant
Co-Patron(s): Senator(s): McClellan and Ruff
- S.B. 5095. Rapid diagnostic testing;** availability to all essential workers.
Patron(s): Dunnivant
Co-Patron(s): Senator(s): Ruff
- S.B. 5096. Child care providers;** PPE during certain declared states of emergency for essential workers.
Patron(s): Dunnivant
Co-Patron(s): Senator(s): Boysko, McPike and Ruff
- S.B. 5097. Workers' compensation;** presumption of compensability for COVID-19.
Patron(s): Vogel
- S.B. 5098. COVID-19 virus;** immunity from civil claims related to the transmission of or exposure to the virus.
Patron(s): Vogel
Co-Patron(s): Senator(s): Ruff
- S.B. 5099. COVID-19 virus;** immunity from civil claims related to the transmission of or exposure to the virus.
Patron(s): Vogel
Co-Patron(s): Senator(s): Ruff

- S.B. 5100. Public schools; COVID-19-related absences.**
Patron(s): Dunnavant
Co-Patron(s): Senator(s): Ruff
- S.B. 5101. Private school employees and volunteers; essential workers, personal protective equipment.**
Patron(s): Dunnavant
Co-Patron(s): Senator(s): Ruff
- S.B. 5102. Income tax, state; credit for landlords for rent forgone due to the COVID-19 pandemic.**
Patron(s): Chafin
Co-Patron(s): Senator(s): DeSteph and Ruff
- S.B. 5103. Parole; eligibility, persons convicted of murder, etc.**
Patron(s): Chafin
- S.B. 5104. Workers' compensation; presumption of compensability for COVID-19.**
Patron(s): Deeds
- S.B. 5105. Nursing homes; outbreaks of communicable disease, posting of information.**
Patron(s): Suetterlein
- S.B. 5106. Local land use approvals; extension of approvals to address the COVID-19 pandemic.**
Patron(s): Lewis
Co-Patron(s): Senator(s): Deeds and Ebbin
- S.B. 5107. Unemployment compensation; extends date VEC is required to establish, etc., short-time compensation.**
Patron(s): McPike
Co-Patron(s): Delegate: Kory
- S.B. 5108. Concealed handgun permit; local control of firearms.**
Patron(s): Chafin
Co-Patron(s): Senator(s): Suetterlein
- S.B. 5109. Nursing home/assisted living facility employees/residents; priority for testing for COVID-19 virus.**
Patron(s): Chafin
Co-Patron(s): Senator(s): Kiggans
- S.B. 5110. Alcohol and marijuana-related offenses; expungement of certain charges and convictions.**
Patron(s): McDougale
- S.B. 5111. Emergency Services and Disaster Law; limitation on duration of executive orders.**
Patron(s): McDougale
- S.B. 5112. Law-enforcement officers; decertification, acts that compromise integrity or credibility.**
Patron(s): McDougale
- S.B. 5113. Crisis intervention; appropriates a sum sufficient to provide basic and advanced training.**
Patron(s): McDougale
- S.B. 5114. School boards; in-person instruction, Internet access.**
Patron(s): McDougale
- S.B. 5115. Broadband services; appropriates funds to DHCD to expand access in underserved and unserved areas.**
Patron(s): McDougale
- S.B. 5116. In-home consumer-directed services; electronic visit verification, exception.**
Patron(s): McDougale
Co-Patron(s): Senator(s): Dunnavant and McClellan; Delegate: Tran

- S.B. 5117. Emergency Services and Disaster Law;** powers and duties of the Governor, executive orders, penalty.
Patron(s): Deeds
- S.B. 5118. Emergency Debt Repayment Plan;** every jurisdictional utility to develop.
Patron(s): McClellan
Co-Patron(s): Senator(s): Favola and Hashmi; Delegate: Carr
- S.B. 5119. Virginia Retirement System;** average final compensation.
Patron(s): Ruff
- S.B. 5120. Elections, Department of;** appropriations to provide prepaid postage for return of absentee ballots.
Patron(s): Howell
Co-Patron(s): Senator(s): Boysko, Ebbin, Favola, McClellan and Surovell
- S.B. 5121. Marriage;** persons who may celebrate rites, authorizes current members of the General Assembly.
Patron(s): Cosgrove
- S.J.R. 5001. COVID-19 pandemic;** executive orders.
Patron(s): Peake
- S.R. 501. Celebrating the life of Nathan K. Kotz.**
Patron(s): Ebbin
- S.R. 502. Commending the Honorable Nolan Dawkins.**
Patron(s): Ebbin
- S.R. 503. Senate;** 2020 Special Session I operating resolution.
Patron(s): Locke
- S.R. 504. Celebrating the life of George Issac Parker, Jr.**
Patron(s): Lewis
- S.R. 505. Commending the Virginia Hospital & Healthcare Association, Virginia's hospitals.**
Patron(s): Saslaw
Co-Patron(s): Senator(s): McClellan
- S.R. 506. Celebrating the life of Daniel X. Sze.**
Patron(s): Saslaw
- S.R. 507. Celebrating the life of Joe Louis Hairston.**
Patron(s): Stanley
- S.R. 508. Celebrating the life of Darryl C. Smith, Sr.**
Patron(s): Boysko
Co-Patron(s): Senator(s): Bell, Ebbin, Edwards, Favola, Hashmi, Howell, Lucas, McClellan, Morrissey, Ruff and Saslaw
- S.R. 509. Commending James Orris Bryant, Sr.**
Patron(s): Newman
- S.R. 510. Celebrating the life of Fitz Alexander Campbell Thomas.**
Patron(s): Boysko
Co-Patron(s): Senator(s): Bell, Favola, Ebbin, Edwards, Hashmi, Howell, Lucas, McClellan, Morrissey and Saslaw
- S.R. 511. Commending Ricky Gardner.**
Patron(s): Newman
- S.R. 512. Celebrating the life of James Wesley Taylor, Sr., DDS.**
Patron(s): Locke
- S.R. 513. Celebrating the life of Jimmy C. Hill.**
Patron(s): Chafin
- S.R. 514. Celebrating the life of R. Wayne Browning, Sr.**
Patron(s): Lewis

- S.R. 515. Celebrating the life of David McMath Parker.**
Patron(s): Lewis
- S.R. 516. Commending Lloyd J. "Bud" Vye.**
Patron(s): Surovell
- S.R. 517. Commending the Cave Spring High School boys' basketball team.**
Patron(s): Suetterlein
- S.R. 518. Commending Patricia Swecker Hines.**
Patron(s): Suetterlein
- S.R. 519. Commending Catoctin Creek Distilling Company.**
Patron(s): Bell
- S.R. 520. Commending Disabled American Veterans.**
Patron(s): Reeves
Co-Patron(s): Senator(s): Ebbin, Hashmi, Howell and Ruff
- S.R. 521. Commending Ira Agricola.**
Patron(s): DeSteph
Co-Patron(s): Senator(s): Cosgrove, Kiggans, Lewis, Locke, Lucas, Mason, Norment and Spruill
- S.R. 522. Celebrating the life of Richard Duane West, M.D., F.A.C.S.**
Patron(s): DeSteph
- S.R. 523. Celebrating the life of Michael George Mumejian.**
Patron(s): DeSteph
- S.R. 524. Commending Human Food RVA.**
Patron(s): DeSteph
- S.R. 525. Celebrating the life of Engin Mehmet Artemel.**
Patron(s): Ebbin
Co-Patron(s): Senator(s): McPike
- S.R. 526. Commending Clifford T. Bowen.**
Patron(s): Norment
- S.R. 527. Commending Lindsey Pantele.**
Patron(s): Dunnavant
- S.R. 528. Celebrating the life of Ralph Essex Turpin, Jr.**
Patron(s): Deeds
- S.R. 529. Celebrating the life of Jerry Austin Rexrode.**
Patron(s): Deeds
Co-Patron(s): Senator(s): Hanger
- S.R. 530. Celebrating the life of Percy Conway Nowlin, III.**
Patron(s): Deeds
Co-Patron(s): Senator(s): Hanger
- S.R. 531. Celebrating the life of Robert Joseph Anderson.**
Patron(s): Deeds
- S.R. 532. Celebrating the life of the Honorable John Henry Hager.**
Patron(s): Norment
Co-Patron(s): Senator(s): Edwards, Hanger, Howell, Lucas, Newman, Ruff, Saslaw, Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Favola, Hashmi, Kiggans, Lewis, Locke, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Obenshain, Peake, Petersen, Pillion, Reeves, Spruill, Stanley, Stuart, Suetterlein, Surovell and Vogel
- S.R. 533. Commending Anna Leider.**
Patron(s): Ebbin
Co-Patron(s): Senator(s): Saslaw, Barker and McPike
- S.R. 534. Celebrating the life of Bishop Gerald O. Glenn.**
Patron(s): Morrissey
Co-Patron(s): Senator(s): Chase, Edwards, Marsden and McClellan

- S.R. 535. Celebrating the life of Howard H. Foust, Jr.**
Patron(s): Lucas
- S.R. 536. Celebrating the life of Leonard Jackson Hite.**
Patron(s): Lucas
- S.R. 537. Celebrating the life of the Honorable Bonnie Lineweaver Paul.**
Patron(s): Obenshain
- S.R. 538. Commending Geraldine Bailey Williams Johnson.**
Patron(s): Morrissey
- S.R. 539. Celebrating the life of Bruce Winston Edwards.**
Patron(s): DeSteph
Co-Patron(s): Senator(s): Kiggans
- S.R. 540. Celebrating the life of Lori Lee Brickley.**
Patron(s): McPike
Co-Patron(s): Senator(s): Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, Morrissey, Petersen, Ruff, Saslaw, Spruill and Surovell
- S.R. 541. Commending Strike Fighter Squadron 213.**
Patron(s): Kiggans
- S.R. 542. Commending Lieutenant Colonel Alexander Semyon Vindman, USA Ret.**
Patron(s): McPike
Co-Patron(s): Senator(s): Barker, Bell, Boysko, Deeds, Ebbin, Edwards, Favola, Hashmi, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, Morrissey, Petersen, Saslaw, Spruill and Surovell
- S.R. 543. Celebrating the life of Jacqueline Kidd King.**
Patron(s): Suetterlein
Co-Patron(s): Senator(s): Pillion
- S.R. 544. Celebrating the life of Jeff Matthew Wescott, Jr.**
Patron(s): McClellan
- S.R. 545. Celebrating the life of Richard Rigney.**
Patron(s): DeSteph
Co-Patron(s): Senator(s): Kiggans and Cosgrove
- S.R. 546. Celebrating the life of Joseph Alexander.**
Patron(s): Ebbin
Co-Patron(s): Senator(s): Barker, Boysko, Howell, Marsden, Saslaw and Surovell
- S.R. 547. Celebrating the life of Kevin Beekman.**
Patron(s): Ebbin
Co-Patron(s): Senator(s): Barker
- S.R. 548. Commending Elaine R. Jones.**
Patron(s): McClellan
Co-Patron(s): Senator(s): Boysko, Deeds, Edwards, Hashmi, Locke, Lucas, Mason, Morrissey, Petersen, Spruill and Surovell
- S.R. 549. Commending the captain and crew of the Smuggler's Point fishing vessel.**
Patron(s): Stuart
Co-Patron(s): Senator(s): Mason
- S.R. 550. Commending Annie Eliza Lewis.**
Patron(s): McClellan
Co-Patron(s): Senator(s): Boysko
- S.R. 551. Celebrating the life of Oliver White Hill, Jr.**
Patron(s): McClellan
Co-Patron(s): Senator(s): Deeds, Dunnavant, Ebbin, Edwards, Hashmi, Locke, Lucas, Mason, Morrissey and Spruill

- S.R. 552. Senate;** establishes a provision to recess during 2020 Special Session I of the General Assembly.
Patron(s): Locke
- S.R. 553. Celebrating the life of Douglas Dee Moore.**
Patron(s): Suetterlein
- S.R. 554. Celebrating the life of Albert Sidney Johnston Tucker, III.**
Patron(s): Suetterlein
- S.R. 555. Celebrating the life of Nancy Lewey Spigle.**
Patron(s): Suetterlein
Co-Patron(s): Senator(s): Edwards
- S.R. 556. Celebrating the life of Walter H. Peake III.**
Patron(s): Suetterlein
Co-Patron(s): Senator(s): Barker, Bell, Boysko, Chafin, Chase, Cosgrove, Deeds, DeSteph, Dunnavant, Ebbin, Edwards, Favola, Hanger, Hashmi, Howell, Kiggans, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McDougale, McPike, Morrissey, Newman, Norment, Obenshain, Peake, Petersen, Pillion, Reeves, Ruff, Saslaw, Spruill, Stanley, Stuart, Surovell and Vogel
- S.R. 557. Celebrating the life of Cody Lee Wingate.**
Patron(s): Pillion
- S.R. 558. Commending Hilton Elementary School.**
Patron(s): Pillion
- S.R. 559. Commending Delby Huff.**
Patron(s): Morrissey
- S.R. 560. Celebrating the life of Charles C. Woods.**
Patron(s): Pillion
- S.R. 561. Celebrating the life of Myrl Lewis Hairfield.**
Patron(s): Norment
Co-Patron(s): Senator(s): Mason
- S.R. 562. Celebrating the life of John Manley Garber.**
Patron(s): McPike
Co-Patron(s): Senator(s): Barker, Boysko, Deeds, Favola, Hashmi, Howell, Lucas, Marsden, McClellan, Reeves, Saslaw and Vogel
- S.R. 563. Commending Christina Mapes.**
Patron(s): Kiggans
- S.R. 564. Commending the Honorable Janine M. Saxe.**
Patron(s): Surovell
Co-Patron(s): Senator(s): Barker, Boysko, Ebbin, Favola, Howell, Marsden and Saslaw
- S.R. 565. Celebrating the life of Lois Saunier Hornsby.**
Patron(s): Norment
Co-Patron(s): Senator(s): Mason
- S.R. 566. Celebrating the life of John Conover.**
Patron(s): Deeds
- S.R. 567. Celebrating the life of Saba Labib Shami.**
Patron(s): Ebbin
Co-Patron(s): Senator(s): Barker, Boysko, Deeds, Favola, Hashmi, Howell, Lucas, Marsden, McClellan, McPike, Petersen, Saslaw and Surovell

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JUSTICE William C. Mims
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JUSTICE D. Arthur Kelsey
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JUDGE Robert J. Humphreys
JUDGE William G. Petty
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JUDGE Glen A. Huff
JUDGE Mary Grace O'Brien
JUDGE Wesley G. Russell, Jr.
JUDGE Richard Y. AtLee, Jr.
JUDGE Mary B. Malveaux
JUDGE Clifford L. Athey, Jr.
JUDGE Vacancy

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WORKERS' COMPENSATION COMMISSION, VIRGINIA R. Ferrell Newman, Chairman
Wesley G. Marshall
Robert A. Rapaport
Evelyn McGill, Executive Director

**THE SENATE
2020 SPECIAL SESSION I**

No. of District	Name	Mailing Address	County and/or City Represented (Residence Italicized)
39	Barker, George L. (D)	P. O. Box 10527 Alexandria 22310	Counties of <i>Fairfax</i> (part) and Prince William (part); City of Alexandria (part)
13	Bell, John J. (D)	P. O. Box 4489 Broadlands 20148	Counties of <i>Loudoun</i> (part) and Prince William (part)
33	Boysko, Jennifer B. (D)	730 Elden Street Herndon 20170	Counties of <i>Fairfax</i> (part); and Loudoun (part)
38	Chafin, A. Benton, Jr. (R)	P. O. Box 1210 Lebanon 24266	Counties of Bland, Buchanan, Dickenson, Montgomery (part), Pulaski, <i>Russell</i> , Smyth (part), Tazewell and Wise (part); Cities of Norton and Radford
11	Chase, Amanda F. (R)	P. O. Box 5811 Midlothian 23112	Counties of Amelia and <i>Chesterfield</i> (part); City of Colonial Heights
14	Cosgrove, John A., Jr. (R)	P. O. Box 15483 Chesapeake 23328	Counties of Isle of Wight (part) and Southampton (part); Cities of <i>Chesapeake</i> (part), Franklin (part), Portsmouth (part), Suffolk (part) and Virginia Beach (part)
25	Deeds, R. Creigh (D)	P. O. Drawer D Hot Springs 24445 P. O. Box 5462 Charlottesville 22905-5462	Counties of Albemarle (part), Alleghany, <i>Bath</i> , Highland, Nelson and Rockbridge; Cities of Buena Vista, Charlottesville, Covington and Lexington
8	DeSteph, William R., Jr. (R)	588 Central Drive Virginia Beach 23454	City of <i>Virginia Beach</i> (part)
12	Dunnivant, Siobhan S. (R)	P. O. Box 70849 Henrico 23255	Counties of Hanover (part) and <i>Henrico</i> (part)
30	Ebbin, Adam P. (D)	P. O. Box 26415 Alexandria 22313	Counties of Arlington (part) and Fairfax (part); City of <i>Alexandria</i> (part)
21	Edwards, John S. (D)	P. O. Box 1179 Roanoke 24006-1179	Counties of Giles, Montgomery (part) and Roanoke (part); City of <i>Roanoke</i>
31	Favola, Barbara A. (D)	2319 18th Street North Arlington 22201-3506	Counties of <i>Arlington</i> (part), Fairfax (part) and Loudoun (part)

**THE SENATE--(continued)
2020 SPECIAL SESSION I**

No. of District	Name	Mailing Address	County and/or City Represented (Residence Italicized)
24	Hanger, Emmett W., Jr. (R)	P. O. Box 2 Mount Solon 22843-0002	Counties of <i>Augusta</i> , Culpeper (part), Greene, Madison and Rockingham (part); Cities of Staunton and Waynesboro
10	Hashmi, Ghazala F. (D)	P. O. Box 396 Richmond 23218	Counties of <i>Chesterfield</i> (part) and Powhatan; City of Richmond (part)
32	Howell, Janet D. (D)	P. O. Box 2608 Reston 20195-0608	Counties of Arlington (part) and <i>Fairfax</i> (part)
7	Kiggans, Jen A. (R)	P. O. Box 5453 Virginia Beach 23471	Cities of Norfolk (part) and <i>Virginia Beach</i> (part)
6	Lewis, Lynwood W., Jr. (D)	P. O. Box 760 Accomac 23301	Counties of <i>Accomack</i> , Mathews and Northampton; Cities of Norfolk (part) and <i>Virginia Beach</i> (part)
2	Locke, Mamie E. (D)	P. O. Box 9048 Hampton 23670	County of York (part); Cities of <i>Hampton</i> (part), Newport News (part) and Portsmouth (part)
18	Lucas, L. Louise (D)	P. O. Box 700 Portsmouth 23705-0700	Counties of Brunswick (part), Greenville, Isle of Wight (part), Southampton (part), Surry (part) and Sussex; Cities of Chesapeake (part), Emporia, Franklin (part), <i>Portsmouth</i> (part) and Suffolk (part)
37	Marsden, David W. (D)	P. O. Box 10889 Burke 22009	County of <i>Fairfax</i> (part)
1	Mason, T. Montgomery (D)	P. O. Box 232 Williamsburg 23187	Counties of James City (part) and York (part), Cities of Hampton (part), Newport News (part), Suffolk (part) and <i>Williamsburg</i>
9	McClellan, Jennifer L. (D)	P. O. Box 396 Richmond 23218	Counties of Charles City, Counties of Charles City, Hanover (part) and Henrico (part); City of <i>Richmond</i> (part)

**THE SENATE--(continued)
2020 SPECIAL SESSION I**

No. of District	Name	Mailing Address	County and/or City Represented (Residence Italicized)
4	McDougle, Ryan T. (R)	P. O. Box 187 Mechanicsville 23111	Counties of Caroline, Essex, <i>Hanover</i> (part), King George (part), Lancaster, Middlesex, Northumberland, Richmond, Spotsylvania (part) and Westmoreland (part)
29	McPike, Jeremy S. (D)	P. O. Box 2819 Woodbridge 22195	County of <i>Prince William</i> (part); Cities of Manassas and Manassas Park
16	Morrissey, Joseph D. (D)	701 German School Road Richmond 23225	Counties of Chesterfield (part), Dinwiddie (part) and Prince George (part), Cities of Hopewell, Petersburg and <i>Richmond</i> (part)
23	Newman, Stephen D. (R)	P. O. Box 480 Forest 24551	Counties of <i>Bedford</i> (part), Botetourt, Campbell (part), Craig and Roanoke (part); City of Lynchburg (part)
3	Norment, Thomas K., Jr. (R)	P. O. Box 6205 Williamsburg 23188	Counties of Gloucester, Isle of Wight (part), <i>James City</i> (part), King and Queen, King William, New Kent, Surry (part) and York (part); Cities of Hampton (part), Poquoson and Suffolk (part)
26	Obenshain, Mark D. (R)	P. O. Box 555 Harrisonburg 22803	Counties of Page, Rappahannock, <i>Rockingham</i> (part), Shenandoah and Warren; City of Harrisonburg
22	Peake, Mark J. (R)	4925 Boonsboro Road Box 172 Lynchburg 24503	Counties of Amherst, Appomattox, Buckingham, Cumberland, Fluvanna, Goochland, Louisa (part) and Prince Edward; City of <i>Lynchburg</i> (part)
34	Petersen, J. Chapman (D)	P. O. Box 1066 Fairfax 22038	County of Fairfax (part); <i>City of Fairfax</i>

**THE SENATE--(continued)
2020 SPECIAL SESSION I**

No. of District	Name	Mailing Address	County and/or City Represented (Residence Italicized)
40	Pillion, Todd E. (R)	851 French Moore Jr. Boulevard Suite 178 Abingdon 24210	Counties of Grayson, Lee, Scott, Smyth (part), <i>Washington</i> , Wise, (part), and Wythe (part); City of Bristol
17	Reeves, Bryce E. (R)	P. O. Box 7021 Fredericksburg 22404	Counties of Albemarle (part), Culpeper (part), Louisa (part), Orange and <i>Spotsylvania</i> (part); City of Fredericksburg
15	Ruff, Frank M., Jr. (R)	P. O. Box 332 Clarksville 23927	Counties of Brunswick (part), Campbell (part), Charlotte, Dinwiddie (part), Halifax (part), Lunenburg, <i>Mecklenburg</i> , Nottoway, Pittsylvania (part) and Prince George (part); City of Danville (part)
35	Saslaw, Richard L. (D)	P. O. Box 1856 Springfield 22151-0856	County of <i>Fairfax</i> (part); Cities of Alexandria (part) and Falls Church
5	Spruill, Lionell, Sr. (D)	P. O. Box 5403 Chesapeake 23324	Cities of <i>Chesapeake</i> (part) and Norfolk (part)
20	Stanley, William M., Jr. (R)	P. O. Box 96 Glade Hill 24092-0096	Counties of Carroll (part), <i>Franklin</i> (part), Halifax (part), Henry, Patrick and Pittsylvania (part); Cities of Danville (part), Galax and Martinsville
28	Stuart, Richard H. (R)	P. O. Box 1146 Montross 22520	Counties of <i>King George</i> (part), Prince William (part), Spotsylvania (part), Stafford (part) and Westmoreland (part)
19	Suetterlein, David R. (R)	P. O. Box 20237 Roanoke 24018	Counties of Bedford (part) Carroll (part), Floyd, Franklin (part), Montgomery (part), <i>Roanoke</i> (part) and Wythe (part); City of Salem
36	Surovell, Scott A. (D)	P. O. Box 289 Mount Vernon 22121	Counties of <i>Fairfax</i> (part), Prince William (part) and Stafford (part)
27	Vogel, Jill Holtzman (R)	45 North Hill Drive Suite 100 Warrenton 20186	Counties of Clarke, Culpeper (part), <i>Fauquier</i> , Frederick, Loudoun (part) and Stafford (part); City of Winchester

OFFICERS AND EMPLOYEES OF THE SENATE

Name	Office	Locality
Fairfax, Justin E.	President	Annandale
Lucas, L. Louise	President pro tempore	Portsmouth
Schaar, Susan Clarke	Clerk	Henrico
Adams, Michael P.	Director, Human Resources	Chester
Antigha, Madolynne	Administrative Assistant	Glen Allen
Bingham, Eric	Facilities Coordinator	Richmond
Blankenship, Kyle	Systems Administrator	Chester
Bolstad, Joanna	Journal Clerk	Richmond
Brown, Portia	Administrative Assistant	Chamberlayne
Carter, Barbara L.	Legislative Information Officer	Mechanicsville
Finch, Bladen	Page Program Director/ Civics Coordinator	Henrico
Greenwood, Liz	Journal Assistant	Richmond
Griffin, Lindley	Calendar Clerk/Committee Clerk	Richmond
Hatfield, Nathan	Assistant Clerk - LINC'S	Richmond
Horch, Maryann	Senior Systems Analyst	Williamsburg
Jackson, Michael	Support Services Technician	Henrico
Lehman, Hobbie	Assistant Clerk/Sergeant-at-Arms - Committee Operations	Richmond
Manson, Erica T.	Administrative Support Assistant	North Chesterfield
Newby, Melanie R.	Purchasing Officer	Henrico
Palmore, Jonathan	Senior Assistant Clerk - Technology	Glen Allen
Perkinson, Tara H.	Chief Deputy Clerk	Chesterfield
Ramsey, Rose	Assistant Clerk	Richmond
Robertson, Glenn	Senior Systems Analyst	Manakin-Sabot
Sloan, Corinne	Assistant Journal Clerk	Mechanicsville
Sturman, Palmer	Applications Analyst/ Programmer	Richmond
Trumbo, Laura	Assistant Director - Senate Page Leadership Program	Richmond
Tulasz, Geneva	Fiscal Accountant	Midlothian
Waldrop, Jan	Fiscal Officer	Colonial Heights
Welch, Jennifer Jones	Assistant Clerk - Support Services	Midlothian
Wettstone, Linda	Senior Systems Analyst	Glen Allen
Wright, Michelle R.	Assistant Clerk - Fiscal	Williamsburg
Eitelman, Lynn	Journal Staff	Richmond
Voth, Sybil	Journal Staff	Henrico
	Senate Finance Committee Staff	
Kees, April	Director	Glen Allen
Powell, Jason	Special Projects Director	Richmond
Herzog, Sarah	Deputy Director	Williamsburg
Kennington, Charles	Legislative Analyst	Henrico
Kilpatrick, Caitlin	Legislative Analyst	Richmond
Rosatelli, Adam	Legislative Analyst	Henrico
Tweedy, Mike	Legislative Analyst	Chesterfield
Williams, Tyler	Associate Legislative Analyst	Richmond
Mayes, Melissa	Office Manager	Mechanicsville

LIST OF SENATORS IN ORDER OF SENIORITY

Name		Member of Senate	Member of House	Residence
1. Saslaw, Richard L.	(D)	1980	1976-80	Fairfax County
2. Howell, Janet D.	(D)	1992		Fairfax County
3. Lucas, L. Louise	(D)	1992		Portsmouth
4. Norment, Thomas K., Jr.	(R)	1992		James City
5. Hanger, Emmett W., Jr.	(R)	1996	1983-92	Augusta
6. Newman, Stephen D.	(R)	1996	1992-96	Bedford
7. Edwards, John S.	(D)	1996		Roanoke City
8. Ruff, Frank M., Jr.	(R)	2000	1994-00	Mecklenburg
9. Deeds, R. Creigh	(D)	2001	1992-01	Bath
10. Obenshain, Mark D.	(R)	2004		Rockingham
11. Locke, Mamie E.	(D)	2004		Hampton
12. McDougle, Ryan T.	(R)	2006	2002-06	Hanover
13. Petersen, J. Chapman	(D)	2008	2002-06	Fairfax City
14. Barker, George L.	(D)	2008		Fairfax County
15. Vogel, Jill Holtzman	(R)	2008		Fauquier
16. Stuart, Richard H.	(R)	2008		King George
17. Marsden, David W.	(D)	2010	2006-10	Fairfax County
18. Stanley, William M., Jr.	(R)	2011		Franklin County
19. Ebbin, Adam P.	(D)	2012	2004-12	Alexandria
20. Reeves, Bryce E.	(R)	2012		Spotsylvania
21. Favola, Barbara A.	(D)	2012		Arlington
22. Cosgrove, John A., Jr.	(R)	2013	2002-13	Chesapeake
23. Lewis, Lynwood W., Jr.	(D)	2014	2004-14	Accomack
24. Chafin, A. Benton, Jr.	(R)	2014	2014-14	Russell
25. Surovell, Scott A.	(D)	2016	2010-16	Fairfax County
26. DeSteph, William R., Jr.	(R)	2016	2014-16	Virginia Beach
27. Dunnavant, Siobhan S.	(R)	2016		Henrico
28. Chase, Amanda F.	(R)	2016		Chesterfield
29. McPike, Jeremy S.	(D)	2016		Prince William
30. Suetterlein, David R.	(R)	2016		Roanoke County
31. Spruill, Lionell, Sr.	(D)	2016	1993-16	Chesapeake
32. Mason, T. Montgomery	(D)	2016	2014-16	Williamsburg
33. McClellan, Jennifer L.	(D)	2017	2006-16	Richmond City
34. Peake, Mark J.	(R)	2017		Lynchburg
35. Boysko, Jennifer B.	(D)	2019	2016-19	Fairfax County
36. Morrissey, Joseph D.	(D)	2020	2008-15	Richmond City
37. Pillion, Todd E.	(R)	2020	2014-20	Washington
38. Bell, John J.	(D)	2020	2016-20	Loudoun
39. Hashmi, Ghazala F.	(D)	2020		Chesterfield
40. Kiggans, Jen A.	(R)	2020		Virginia Beach

SENATE SEATING CHART

Science Museum of Virginia

2020 Special Session I

Science Museum - Senate Chamber



SENATORS

Pocahontas Building
 900 East Main Street
 Richmond, Virginia 23219

Room Numbers	Senators	Telephone
E619	Barker, George L. (D).....	698-7539
E522	Bell, John J. (D).....	698-7513
E513	Boysko, Jennifer B. (D).....	698-7533
E514	Chafin, A Benton, Jr. (R).....	698-7538
E523	Chase, Amanda F. (R).....	698-7511
E607	Cosgrove, John A., Jr. (R).....	698-7514
E503	Deeds, R. Creigh (D).....	698-7525
E608	DeSteph, William R., Jr. (R).....	698-7508
E613	Dunnavant, Siobhan S. (R).....	698-7512
E520	Ebbin, Adam P. (D).....	698-7530
E506	Edwards, John S. (D).....	698-7521
E610	Favola, Barbara A. (D).....	698-7531
E507	Hanger, Emmett W., Jr. (R).....	698-7524
E516	Hashmi, Ghazala F. (D).....	698-7510
E509	Howell, Janet D. (D).....	698-7532
E518	Kiggans, Jen A. (R).....	698-7507
E609	Lewis, Lynwood W., Jr. (D).....	698-7506
E510	Locke, Mamie E. (D).....	698-7502
E604	Lucas, L. Louise (D).....	698-7518
E618	Marsden, David W. (D).....	698-7537
E515	Mason, T. Montgomery (D).....	698-7501
E512	McClellan, Jennifer L. (D).....	698-7509
E501	McDougle, Ryan T. (R).....	698-7504
E511	McPike, Jeremy S. (D).....	698-7529
E614	Morrissey, Joseph D. (D).....	698-7516
E508	Newman, Stephen D. (R).....	698-7523
E603	Norment, Thomas K., Jr. (R).....	698-7503
E502	Obenshain, Mark D. (R).....	698-7526
E615	Peake, Mark J. (R).....	698-7522
E517	Petersen, J. Chapman (D).....	698-7534
E616	Pillion, Todd E. (R).....	698-7540
E521	Reeves, Bryce E. (R).....	698-7517
E505	Ruff, Frank M., Jr. (R).....	698-7515
E602	Saslaw, Richard L. (D).....	698-7535
E524	Spruill, Lionell, Sr. (D).....	698-7505
E504	Stanley, William M., Jr. (R).....	698-7520
E611	Stuart, Richard H. (R).....	698-7528
E519	Suetterlein, David R. (R).....	698-7519
E617	Surovell, Scott A. (D).....	698-7536
E612	Vogel, Jill Holtzman (R).....	698-7527

**SENATORS AND DELEGATES BY COUNTIES
2020 SPECIAL SESSION I**

COUNTIES	SENATORS	DELEGATES
Accomack	Lynwood W. Lewis, Jr. (D)	Robert S. Bloxom, Jr. (R)
Albemarle.....	R. Creigh Deeds (D)	Robert B. Bell (R)
	Bryce E. Reeves (R).....	C. Matthew Fariss (R)
		Chris Runion (R)
		Sally L. Hudson (D)
Alleghany.....	R. Creigh Deeds (D)	Terry L. Austin (R)
Amelia.....	Amanda F. Chase (R).....	Thomas C. Wright, Jr. (R)
Amherst.....	Mark J. Peake (R)	Ronnie R. Campbell (R)
		Wendell S. Walker (R)
Appomattox	Mark J. Peake (R)	C. Matthew Fariss (R)
Arlington.....	Adam P. Ebbin (D).....	Patrick A. Hope (D)
	Barbara A. Favola (D).....	Mark H. Levine (D)
	Janet D. Howell (D).....	Alfonso H. Lopez (D)
		Richard C. Sullivan, Jr. (D)
Augusta	Emmett W. Hanger, Jr. (R).....	G. John Avoli (R)
		Ronnie R. Campbell (R)
		Chris Runion (R)
Bath.....	R. Creigh Deeds (D)	Ronnie R. Campbell (R)
Bedford	Stephen D. Newman (R).....	Terry L. Austin (R)
	David R. Suetterlein (R)	Kathy J. Byron (R)
		Wendell S. Walker (R)
Bland.....	A. Benton Chafin, Jr. (R).....	James W. Morefield (R)
Botetourt	Stephen D. Newman (R).....	Terry L. Austin (R)
		Christopher T. Head (R)
Brunswick.....	L. Louise Lucas (D).....	Roslyn C. Tyler (D)
	Frank M. Ruff, Jr. (R)	
Buchanan	A. Benton Chafin, Jr. (R).....	James W. Morefield (R)
Buckingham.....	Mark J. Peake (R)	C. Matthew Fariss (R)
Campbell.....	Stephen D. Newman (R).....	Kathy J. Byron (R)
	Frank M. Ruff, Jr. (R)	James E. Edmunds II (R)
		C. Matthew Fariss (R)
Caroline.....	Ryan T. McDougle (R).....	Hyland F. Fowler, Jr. (R)
		Robert D. Orrock, Sr. (R)
		Margaret B. Ransone (R)
Carroll	William M. Stanley, Jr. (R)	Jeffrey L. Campbell (R)
	David R. Suetterlein (R)	
Charles City.....	Jennifer L. McClellan (D).....	Delores L. McQuinn (D)
Charlotte.....	Frank M. Ruff, Jr. (R)	James E. Edmunds II (R)
Chesterfield.....	Amanda F. Chase (R).....	Dawn M. Adams (D)
	Joseph D. Morrissey (D).....	Lashrecse D. Aird (D)
	Ghazala F. Hashmi (D)	Betsy B. Carr (D)
		M. Kirkland Cox (R)
		Carrie E. Coyner (R)
		Delores L. McQuinn (D)
		Roxann L. Robinson (R)
		R. Lee Ware (R)
Clarke.....	Jill Holtzman Vogel (R)	Gwendolyn W. Gooditis (D)
		David A. LaRock (R)
Craig.....	Stephen D. Newman (R).....	Joseph P. McNamara (R)

**SENATORS AND DELEGATES BY COUNTIES
2020 SPECIAL SESSION I**

COUNTIES	SENATORS	DELEGATES
Culpeper.....	Emmett W. Hanger, Jr. (R)..... Bryce E. Reeves (R)..... Jill Holtzman Vogel (R)	Nicholas J. Freitas (R) Michael J. Webert (R)
Cumberland.....	Mark J. Peake (R)	Thomas C. Wright, Jr. (R)
Dickenson	A Benton Chafin, Jr. (R)	William C. Wampler III (R)
Dinwiddie.....	Joseph D. Morrissey (D)..... Frank M. Ruff, Jr. (R)	Lashrecse D. Aird (D)
Essex	Ryan T. McDougle (R).....	M. Keith Hodges (R)
Fairfax.....	George L. Barker (D)..... Jennifer B. Boysko (D)..... Adam P. Ebbin (D)..... Barbara A. Favola (D)..... Janet D. Howell (D)..... David W. Marsden (D)..... J. Chapman Petersen (D)	David L. Bulova (D) Karrie K. Delaney (D) Eileen Filler-Corn (D) Daniel I. Helmer (D) Mark L. Keam (D) Kaye Kory (D) Paul E. Krizek (D) Mark H. Levine (D) Alfonso H. Lopez (D) Kathleen J. Murphy (D) Kenneth R. Plum (D) Ibraheem S. Samirah (D) Mark D. Sickles (D) Marcus B. Simon (D) Richard C. Sullivan, Jr. (D) Kathy KL Tran (D) Vivian E. Watts (D)
Fauquier	Jill Holtzman Vogel (R)	Mark L. Cole (R) Elizabeth R. Guzman (D) Michael J. Webert (R)
Floyd	David R. Suetterlein (R)	L. Nick Rush (R)
Fluvanna.....	Mark J. Peake (R)	Robert B. Bell (R) R. Lee Ware (R)
Franklin.....	William M. Stanley, Jr. (R)..... David R. Suetterlein (R)	Kathy J. Byron (R) Charles D. Poindexter (R)
Frederick	Jill Holtzman Vogel (R)	Gwendolyn W. Gooditis (D) David A. LaRock (R) William D. Wiley (R) ¹
Giles.....	John S. Edwards (D)	Chris L. Hurst (D)
Gloucester	Thomas K. Norment, Jr. (R)	M. Keith Hodges (R)
Goochland.....	Mark J. Peake (R)	John J. McGuire III (R) R. Lee Ware (R)
Grayson.....	Todd E. Pillion (R).....	Israel D. O’Quinn (R)
Greene.....	Emmett W. Hanger, Jr. (R).....	Robert B. Bell (R)
Greensville	L. Louise Lucas (D).....	Roslyn C. Tyler (D)
Halifax	Frank M. Ruff, Jr. (R)..... William M. Stanley, Jr. (R)	James E. Edmunds II (R)
Hanover.....	Siobhan S. Dunnavant (R)	Hyland F. Fowler, Jr. (R)
	Jennifer L. McClellan (D)..... Ryan T. McDougle (R)	Scott A. Wyatt (R)

**SENATORS AND DELEGATES BY COUNTIES
2020 SPECIAL SESSION I**

COUNTIES	SENATORS	DELEGATES
Henrico.....	Siobhan S. Dunnivant (R) Jennifer L. McClellan (D).....	Dawn W. Adams (D) Lamont Bagby (D) Jeffrey M. Bourne (D) Carrie E. Coyner (R) John J. McGuire III (R) Delores L. McQuinn (D) Schuyler T. VanValkenburg (D) Rodney T. Willett (D)
Henry	William M. Stanley, Jr. (R)	Leslie R. Adams (R) Daniel W. Marshall III (R) Charles D. Poindexter (R)
Highland.....	R. Creigh Deeds (D)	G. John Avoli (R)
Isle of Wight.....	John A. Cosgrove, Jr. (R)..... L. Louise Lucas (D) Thomas K. Norment, Jr. (R)	Emily M. Brewer (R)
James City.....	T. Montgomery Mason (D)..... Thomas K. Norment, Jr. (R)	Amanda E. Batten (R) Michael P. Mullen (D)
King and Queen	Thomas K. Norment, Jr. (R)	M. Keith Hodges (R)
King George.....	Ryan T. McDougale (R)..... Richard H. Stuart (R)	Margaret B. Ransone (R)
King William.....	Thomas K. Norment, Jr. (R)	M. Keith Hodges (R) Scott A. Wyatt (R)
Lancaster.....	Ryan T. McDougale (R).....	Margaret B. Ransone (R)
Lee	Todd E. Pillion (R).....	Terry G. Kilgore (R)
Loudoun.....	John J. Bell (D)..... Jennifer B. Boysko (D)..... Barbara A. Favola (D)..... Jill Holtzman Vogel (R)	Karrie K. Delaney (D) Gwendolyn W. Gooditis (D) David A. LaRock (R) Kathleen J. Murphy (D) David A. Reid (D) Ibraheem S. Samirah (D) Suhas Subramanyam (D)
Louisa.....	Mark J. Peake (R)	John J. McGuire III (R)
Lunenburg.....	Bryce E. Reeves (R) Frank M. Ruff, Jr. (R)	Roslyn C. Tyler (D) Thomas C. Wright, Jr. (R)
Madison	Emmett W. Hanger, Jr. (R).....	Nicholas J. Freitas (R)
Mathews.....	Lynwood W. Lewis, Jr. (D).....	M. Keith Hodges (R)
Mecklenburg	Frank M. Ruff, Jr. (R)	Thomas C. Wright, Jr. (R)
Middlesex.....	Ryan T. McDougale (R).....	M. Keith Hodges (R)
Montgomery.....	A. Benton Chafin, Jr. (R)..... John S. Edwards (D)..... David R. Suetterlein (R)	Chris L. Hurst (D) Joseph P. McNamara (R) L. Nick Rush (R)
Nelson.....	R. Creigh Deeds (D)	G. John Avoli (R) C. Matthew Farris (R)
New Kent.....	Thomas K. Norment, Jr. (R)	Scott A. Wyatt (R)
Northampton	Lynwood W. Lewis, Jr. (D).....	Robert S. Bloxom, Jr. (R)
Northumberland	Ryan T. McDougale (R).....	Margaret B. Ransone (R)
Nottoway.....	Frank M. Ruff, Jr. (R)	Thomas C. Wright, Jr. (R)
Orange.....	Bryce E. Reeves (R).....	Nicholas J. Freitas (R)
Page.....	Mark D. Obenshain (R)	C. Todd Gilbert (R)

**SENATORS AND DELEGATES BY COUNTIES
2020 SPECIAL SESSION I**

COUNTIES	SENATORS	DELEGATES
Patrick	William M. Stanley, Jr. (R)	Charles D. Poindexter (R)
Pittsylvania.....	Frank M. Ruff, Jr. (R)	Leslie R. Adams (R)
	William M. Stanley, Jr. (R)	Daniel W. Marshall III (R)
Powhatan.....	Ghazala F. Hashmi (D)	R. Lee Ware (R)
Prince Edward.....	Mark J. Peake (R)	James E. Edmunds II (R)
Prince George.....	Joseph D. Morrissey (D).....	Lashrecse D. Aird (D)
	Frank M. Ruff, Jr. (R)	Emily M. Brewer (R)
		Carrie E. Coyner (R)
Prince William	George L. Barker (D).....	Hala S. Ayala (R)
	John J. Bell (D)	Jennifer D. Carroll Foy (D) ²
	Jeremy S. McPike (D).....	Lee J. Carter (D)
	Richard H. Stuart (R).....	Elizabeth R. Guzman (D)
	Scott A. Surovell (D)	Daniel I. Helmer (D)
		Danica A. Roem (D)
		Suhas Subramanyam (D)
		Luke E. Torian (D)
Pulaski.....	A. Benton Chafin, Jr. (R)	Chris L. Hurst (D)
		L. Nick Rush (R)
Rappahannock.....	Mark D. Obenshain (R)	Michael J. Webert (R)
Richmond.....	Ryan T. McDougle (R).....	Margaret B. Ransone (R)
Roanoke	John S. Edwards (D)	Christopher T. Head (R)
	Stephen D. Newman (R).....	Joseph P. McNamara (R)
	David R. Suetterlein (R)	
Rockbridge.....	R. Creigh Deeds (D)	Ronnie R. Campbell (R)
Rockingham	Emmett W. Hanger, Jr. (R).....	Robert B. Bell (R)
	Mark D. Obenshain (R)	C. Todd Gilbert (R)
		Chris Runion (R)
		Tony O. Wilt (R)
Russell.....	A. Benton Chafin, Jr. (R)	James W. Morefield (R)
		William C. Wampler III (R)
Scott	Todd E. Pillion (R).....	Terry G. Kilgore (R)
Shenandoah.....	Mark D. Obenshain (R)	C. Todd Gilbert (R)
Smyth.....	Todd E. Pillion (R).....	Jeffrey L. Campbell (R)
	A. Benton Chafin, Jr. (R)	Israel D. O'Quinn (R)
Southampton	John A. Cosgrove, Jr. (R).....	Roslyn C. Tyler (D)
	L. Louise Lucas (D)	
Spotsylvania.....	Ryan T. McDougle (R).....	Mark L. Cole (R)
	Bryce E. Reeves (R).....	Hyland F. Fowler, Jr. (R)
	Richard H. Stuart (R).....	John J. McGuire III (R)
		Robert D. Orrock, Sr. (R)
Stafford	Richard H. Stuart (R).....	Jennifer D. Carroll Foy (D) ²
	Scott A. Surovell (D)	Mark L. Cole (R)
	Jill Holtzman Vogel (R)	Joshua G. Cole (D)
Surry.....	L. Louise Lucas (D).....	Emily M. Brewer (R)
	Thomas K. Norment, Jr. (R)	
Sussex	L. Louise Lucas (D).....	Roslyn C. Tyler (D)
Tazewell.....	A. Benton Chafin, Jr. (R)	James W. Morefield (R)

**SENATORS AND DELEGATES BY COUNTIES
2020 SPECIAL SESSION I**

COUNTIES	SENATORS	DELEGATES
Warren.....	Mark D. Obenshain (R)	C. Todd Gilbert (R) Michael J. Webert (R) William D. Wiley (R) ¹
Washington	Todd E. Pillion (R).....	Israel D. O'Quinn (R) William C. Wampler III (R)
Westmoreland	Ryan T. McDougle (R)..... Richard H. Stuart (R)	Margaret B. Ransone (R)
Wise	Todd E. Pillion (R)..... A. Benton Chafin, Jr. (R)	Terry G. Kilgore (R) William C. Wampler III (R)
Wythe	Todd E. Pillion (R)..... David R. Suetterlein (R)	Jeffrey L. Campbell (R)
York.....	Mamie E. Locke (D)	Amanda E. Batten (R) T. Montgomery Mason (D)..... Thomas K. Norment, Jr. (R)
		Michael P. Mullin (D)

¹ Elected November 3, 2020, to fill vacancy created by the resignation of Christopher E. Collins. Sworn in November 19, 2020.

² Resigned December 12, 2020.

**SENATORS AND DELEGATES BY CITIES
2020 SPECIAL SESSION I**

CITIES	SENATORS	DELEGATES
Alexandria	George L. Barker (D) Adam P. Ebbin (D) Richard L. Saslaw (D)	Charniele L. Herring (D) Mark H. Levine (D)
Bristol	Todd E. Pillion (R)	Israel D. O'Quinn (R)
Buena Vista	R. Creigh Deeds (D)	Ronnie R. Campbell (R)
Charlottesville	R. Creigh Deeds (D)	Sally L. Hudson (D)
Chesapeake	John A. Cosgrove, Jr. (R) L. Louise Lucas (D) Lionell Spruill, Sr. (D)	Kelly K. Convirs-Fowler (D) C.E. Hayes, Jr. (D) Stephen E. Heretick (D) Clinton L. Jenkins (D) Barry D. Knight (R) James A. Leftwich, Jr. (R)
Colonial Heights	Amanda F. Chase (R)	M. Kirkland Cox (R)
Covington	R. Creigh Deeds (D)	Terry L. Austin (R)
Danville	Frank M. Ruff, Jr. (R) William M. Stanley, Jr. (R)	Daniel W. Marshall III (R)
Emporia	L. Louise Lucas (D)	Roslyn C. Tyler (D)
Fairfax	J. Chapman Petersen (D)	David L. Bulova (D)
Falls Church	Richard L. Saslaw (D)	Marcus B. Simon (D)
Franklin	John A. Cosgrove, Jr. (R) L. Louise Lucas (D)	Roslyn C. Tyler (D)
Fredericksburg	Bryce E. Reeves (R)	Mark L. Cole (R) Joshua G. Cole (D)
Galax	William M. Stanley, Jr. (R)	Israel D. O'Quinn (R)
Hampton	Mamie E. Locke (D) T. Montgomery Mason (D) Thomas K. Norment, Jr. (R)	Martha M. Mugler (D) Jeion A. Ward (D)
Harrisonburg	Mark D. Obenshain (R)	Tony O. Wilt (R)
Hopewell	Joseph D. Morrissey (D)	Carrie E. Coyner (R)
Lexington	R. Creigh Deeds (D)	Ronnie R. Campbell (R)
Lynchburg	Stephen D. Newman (R) Mark J. Peake (R)	Kathy J. Byron (R) Wendell S. Walker (R)
Manassas	Jeremy S. McPike (D)	Lee J. Carter (D)
Manassas Park	Jeremy S. McPike (D)	Danica A. Roem (D)
Martinsville	William M. Stanley, Jr. (R)	Leslie R. Adams (R)
Newport News	Mamie E. Locke (D) T. Montgomery Mason (D)	Michael P. Mullin (D) Marcia S. Price (D) Shelly A. Simonds (D)
Norfolk	Lynwood W. Lewis, Jr. (D) Lionell Spruill, Sr. (D) Jennifer A. Kiggans (R)	Robert S. Bloxom, Jr. (R) Stephen E. Heretick (D) Jerrauld C. Jones (D) Joseph C. Lindsey (D) ¹ Nancy D. Guy (D)
Norton	A. Benton Chafin, Jr. (R)	Terry G. Kilgore (R)
Petersburg	Joseph D. Morrissey (D)	Lashrecse D. Aird (D)
Poquoson	Thomas K. Norment, Jr. (R)	Martha M. Mugler (D)
Portsmouth	John A. Cosgrove, Jr. (R) Mamie E. Locke (D) L. Louise Lucas (D)	Stephen E. Heretick (D) Don L. Scott, Jr. (D)
Radford	A. Benton Chafin, Jr. (R)	Chris L. Hurst (D)

**SENATORS AND DELEGATES BY CITIES
2020 SPECIAL SESSION I**

CITIES	SENATORS	DELEGATES
Richmond	Joseph D. Morrissey (D)	Dawn M. Adams (D)
	Jennifer L. McClellan (D)	Jeffrey M. Bourne (D)
	Ghazala F. Hashmi (D)	Betsy B. Carr (D)
Roanoke	John S. Edwards (D)	Delores L. McQuinn (D)
		Christopher T. Head (R)
		Sam Rasoul (D)
Salem	David R. Suetterlein (R)	Joseph P. McNamara (R)
Staunton	Emmett W. Hanger, Jr. (R)	G. John Avoli (R)
Suffolk	John A. Cosgrove, Jr. (R)	Emily M. Brewer (R)
	L. Louise Lucas (D)	Clinton L. Jenkins (D)
	T. Montgomery Mason (D)	
	Thomas K. Norment, Jr. (R)	
Virginia Beach	John A. Cosgrove, Jr. (R)	Robert S. Bloxom, Jr. (R)
	William R. DeSteph, Jr. (R)	Kelly K. Convirs-Fowler (D)
	Lynwood W. Lewis, Jr. (D)	Glenn R. Davis, Jr. (R)
	Jennifer A. Kiggans (R)	Barry D. Knight (R)
		Joseph C. Lindsey (D) ¹
	Jason S. Miyares (R)	
	Nancy D. Guy (D)	
	C. E. Hayes, Jr. (D)	
	Alex Q. Askew (D)	
Waynesboro	Emmett W. Hanger, Jr. (R)	G. John Avoli (R)
Williamsburg	T. Montgomery Mason (D)	Michael P. Mullin (D)
Winchester	Jill Holtzman Vogel (R)	William D. Wiley (R) ²

¹ Resigned November 15, 2020.

² Elected November 3, 2020, to fill vacancy created by the resignation of Christopher E. Collins. Sworn in November 19, 2020.

**HOUSE BILLS APPROVED SHOWING CHAPTERS AND PAGE NUMBERS
2020 SPECIAL SESSION I ACTS OF ASSEMBLY**

HOUSE			HOUSE		
HB	Chapter	Page			
5005	56	163			
5029	25	30			
5041	10 E	7			
5043	41	90			
5045	26	30			
5046	44 E	105			
5047	16	18			
5048	12 E	15			
5049	55	155			
5050	38	84			
5051	27	31			
5052	4	3			
5055	29	37			
5058	45	111			
5059	6 E	5			
5062	21	25			
5064	46 E	122			
5068	39 E	87			
5069	35	63			
5072	18	22			
5087	8 E	6			
5093	14	16			
5098	22	28			
5099	31	47			
5104	32	48			
5106	47	124			
5108	28	36			
5109	48	126			
5113	2	2			
5115	49 E	131			
5148	50	132			

Note: E signifies emergency status

**SENATE BILLS APPROVED SHOWING CHAPTERS AND PAGE NUMBERS
2020 SPECIAL SESSION I ACTS OF ASSEMBLY**

SENATE			SENATE		
S.B.	Chapter	Page	S.B.	Chapter	Page
SB	Chapter	Page			
5007	43	103			
5013	3	3			
5014	36	64			
5017	23	29			
5018	33	53			
5024	19	23			
5029	51	134			
5030	37	68			
5031	5	4			
5033	20	24			
5034	52	144			
5035	30	42			
5036	34 E	54			
5038	42	97			
5039	17	19			
5042	11 E	11			
5080	53 E	147			
5081	24 E	29			
5082	7 E	5			
5083	9 E	7			
5088	54 E	153			
5090	13	15			
5106	40	89			
5117	15	17			
5120	1	1			

Note: E signifies emergency status

SUMMARY OF 2020 SPECIAL SESSION I LEGISLATION

TOTAL INTRODUCED LEGISLATION488

 Senate Bills121

 House Bills.....149

 Senate Joint Resolutions1

 House Joint Resolutions.....13

 Senate Resolutions67

 House Resolutions137

TOTAL LEGISLATION PASSED AND/OR AGREED TO254

 Senate Bills25

 House Bills.....31

 Senate Joint Resolutions0

 House Joint Resolutions.....1

 Senate Resolutions62

 House Resolutions135

TOTAL BILLS ENACTED INTO LAW56

 Senate Bills25

 House Bills.....31

 Senate Joint Resolutions0

 House Joint Resolutions.....0

TOTAL CHAPTERS56

BILLS VETOED BY GOVERNOR.....0

 Senate Bills0

 House Bills.....0

**LIST OF
JUSTICES OF SUPREME COURT OF VIRGINIA
COURT OF APPEALS OF VIRGINIA JUDGES**

JUSTICES OF SUPREME COURT OF VIRGINIA

Donald W. Lemons, Nelson	Term expires 2024
S. Bernard Goodwyn, Chesapeake	Term expires 2032
William C. Mims, Henrico.....	Term expires 2022
Cleo E. Powell, Chesterfield.....	Term expires 2023
D. Arthur Kelsey, Suffolk	Term expires 2027
Stephen R. McCullough, Spotsylvania	Term expires 2028
Teresa M. Chafin, Russell.....	Term expires 2031

All elections are for twelve years.

COURT OF APPEALS OF VIRGINIA JUDGES

Marla Graff Decker, Henrico	Term expires Jan. 31, 2022
Glen A. Huff, Fredericksburg	Term expires July 31, 2027
William G. Petty, Lynchburg	Term expires March 15, 2022
Randolph A. Beales, Richmond.....	Term expires April 16, 2022
Mary Grace O'Brien, Prince William	Term expires Jan. 31, 2023
Wesley G. Russell, Jr., Henrico.....	Term expires Jan. 31, 2023
Richard Y. AtLee, Jr., York	Term expires Jan. 31, 2023
Robert J. Humphreys, Virginia Beach	Term expires April 15, 2024
Mary B. Malveaux, Henrico	Term expires April 15, 2024
Clifford Lynwood Athey, Jr., Warren	Term expires August 31, 2027

SESSIONS OF THE GENERAL ASSEMBLY

2016

Regular 60 Day Session - Convened 43 Calendar Days
 January 13, 2016 - March 11, 2016
 Reconvened Session - April 20, 2016

H.J.R. 37. General Assembly; establishes a schedule for the conduct of business for 2016 Regular Session.

January 15, 2016 - Last day to request preparation of bills and joint resolutions by Division of Legislative Services.

January 22, 2016 - Last day to introduce bills and joint resolutions.

February 17, 2016 - Senate shall consider only House measures and House shall consider only Senate measures.

February 19, 2016 - Houses of introduction to complete consideration of all revenue bills.

March 2, 2016 - Each house shall complete consideration of the Budget Bill(s) and all revenue bills of the other house except for conference reports and other privileged matters relating thereto.

March 7, 2016 - Last day for any committee action on legislation.

March 10, 2016 - Last day for single house commending or memorial resolutions to be offered in either house.

March 11, 2016 - Senate shall consider only House joint resolutions and Senate joint resolutions with House amendments, the House shall consider only Senate joint resolutions and House joint resolutions with Senate amendments, each house may consider conference reports or joint resolutions and other privileged matters relating thereto.

781	Senate Bills introduced
105	Continued to 2017 Session
1391	House Bills introduced
115	Continued to 2017 Session
215	Senate Joint Resolutions introduced
18	Continued to 2017 Session
537	House Joint Resolutions introduced
3	Continued to 2017 Session
97	Senate Resolutions introduced
265	House Resolutions introduced
1	Continued to 2017 Session

2017

Regular 30 Day Session - Convened 34 Calendar Days
 January 11, 2017 - February 25, 2017
 Reconvened Session - April 5, 2017

H.J.R. 555. General Assembly; establishing a schedule for the conduct of business for 2017 Regular Session.

January 13, 2017 - Last day to request drafting, redrafting, or corrections of any bill or joint resolution by Division of Legislative Services.

January 20, 2017 - Last day to introduce bills and joint resolutions.

February 8, 2017 - Senate shall consider only House measures and House shall consider only Senate measures.

February 9, 2017 - Houses of introduction to complete consideration of the Budget Bill.

February 15, 2017 - Each house shall complete consideration of the Budget Bill and all revenue bills of the other house except for conference reports and other privileged matters relating thereto.

February 20, 2017 - Last day for any committee action on legislation.

February 23, 2017 - Last day for single house commending or memorial resolutions to be offered in either house.

February 24, 2017 - Senate shall consider only House joint resolutions and Senate joint resolutions with House amendments, the House shall consider only Senate joint resolutions and House joint resolutions with Senate amendments, each house may consider conference reports or joint resolutions and other privileged matters relating thereto.

813	Senate Bills introduced
1088	House Bills introduced
232	Senate Joint Resolutions introduced
551	House Joint Resolutions introduced
67	Senate Resolutions introduced
210	House Resolutions introduced

2018

Regular 60 Day Session - Convened 45 Calendar Days
 January 10, 2018 - March 10, 2018
 Reconvened Session - April 18, 2018

H.J.R. 11. General Assembly; establishing a schedule for the conduct of business for 2018 Regular Session.

January 12, 2018 - Last day to request drafting, redrafting, or corrections of any bill or joint resolution by Division of Legislative Services.

- January 19, 2018 - Last day to introduce bills and joint resolutions.
- February 14, 2018 - Senate shall consider only House measures and House shall consider only Senate measures.
- February 22, 2018 - Houses of introduction to complete work on the Budget Bill.
- March 5, 2018 - Last day for committee action on legislation.
- March 8, 2018 - Last day for single house commending or memorial resolutions to be offered in either house.
- March 9, 2018 - Senate shall consider only House joint resolutions and Senate joint resolutions with House amendments, the House shall consider only Senate joint resolutions and House joint resolutions with Senate amendments, each house may consider conference reports or joint resolutions and other privileged matters relating thereto.

996	Senate Bills introduced
147	Continued to 2019 Session
1610	House Bills introduced
39	Continued to 2019 Session
249	Senate Joint Resolutions introduced
18	Continued to 2019 Session
576	House Joint Resolutions introduced
2	Continued to 2019 Session
81	Senate Resolutions introduced
210	House Resolutions introduced

2019

Regular 30 Day Session - Convened 35 Calendar Days
 January 9, 2019 - February 24, 2019
 Reconvened Session - April 3, 2019

- H.J.R. 606.** General Assembly; establishing a schedule for the conduct of business for 2019 Regular Session.
- January 11, 2019 - Last day to request drafting, redrafting, or corrections of any bill or joint resolution by Division of Legislative Services.
- January 18, 2019 - Last day to introduce bills and joint resolutions.
- February 6, 2019 - Senate shall consider only House measures and House shall consider only Senate measures.
- February 7, 2019 - Houses of introduction to complete consideration of the Budget Bill.
- February 13, 2019 - Last day for each house to complete work on the Budget Bill and revenue bills of the other house and appoint conferees by midnight.
- February 18, 2019 - Last day for any committee action on legislation.
- Each house shall complete consideration of the Budget Bill and all revenue bills of the other house except for conference reports and other privileged matters relating thereto.
- February 21, 2019 - Last day to put bills in conference.

February 22, 2019 - Senate shall consider only House joint resolutions and Senate joint resolutions with House amendments, the House shall consider only Senate joint resolutions and House joint resolutions with Senate amendments, each house may consider conference reports or joint resolutions and other privileged matters relating thereto.

796	Senate Bills introduced
1204	House Bills introduced
228	Senate Joint Resolutions introduced
565	House Joint Resolutions introduced
88	Senate Resolutions introduced
247	House Resolutions introduced

2020

Regular 60 Day Session - Convened 45 Calendar Days

January 8, 2020 - March 12, 2020

Reconvened Session - April 22, 2020

H.J.R. 99. General Assembly; establishing a schedule for the conduct of business for 2020 Regular Session.

January 10, 2020 - Last day to request drafting, redrafting, or corrections of any bill or joint resolution by Division of Legislative Services.

January 17, 2020 - Last day to introduce bills and joint resolutions.

February 12, 2020 - Senate shall consider only House measures and House shall consider only Senate measures.

February 20, 2020 - Houses of introduction to complete consideration of the Budget Bill.

February 26, 2020 - Last day for each house to complete work on the Budget Bill and revenue bills of the other house and appoint conferees by midnight

March 2, 2020 - Last day for any committee action on legislation.

March 5, 2020 - Last day to put bills in conference.

March 6, 2020 - Senate shall consider only House joint resolutions and Senate joint resolutions with House amendments, the House shall consider only Senate joint resolutions and House joint resolutions with Senate amendments, each house may consider conference reports or joint resolutions and other privileged matters relating thereto.

1096	Senate Bills introduced
1734	House Bills introduced
269	Senate Joint Resolutions introduced
510	House Joint Resolutions introduced
83	Senate Resolutions introduced
219	House Resolutions introduced

2020

Special Session I
August 18, 2020 - December 16, 2020

121	Senate Bills introduced
149	House Bills introduced
1	Senate Joint Resolutions introduced
13	House Joint Resolutions introduced
67	Senate Resolutions introduced
137	House Resolutions introduced

